

VERBATIM ¹RECORD OF TRIAL ²

(and accompanying papers)

of

MANNING, Bradley E.

(Name: Last, First, Middle Initial)

Headquarters and
Headquarters Company,
United States Army Garrison
(Unit/Command Name)[REDACTED]

(Social Security Number)

U.S. Army

(Branch of Service)

PFC/E-3

(Rank)

Fort Myer, VA 22211

(Station or Ship)

By

GENERALCOURT-MARTIAL

Convened by

Commander

(Title of Convening Authority)

UNITED STATES ARMY MILITARY DISTRICT OF WASHINGTON

(Unit/Command of Convening Authority)

Tried at

Fort Meade, MD

(Place or Places of Trial)

on

see below

(Date or Dates of Trial)

Date or Dates of Trial:

23 February 2012, 15-16 March 2012, 24-26 April 2012, 6-8 June 2012, 25 June 2012, 16-19 July 2012, 28-30 August 2012, 2 October 2012, 12 October 2012, 17-18 October 2012, 7-8 November 2012, 27 November - 2 December 2012, 5-7 December 2012, 10-11 December 2012, 8-9 January 2013, 16 January 2013, 26 February - 1 March 2013, 8 March 2013, 10 April 2013, 7-8 May 2013, 21 May 2013, 3-5 June 2013, 10-12 June 2013, 17-18 June 2013, 25-28 June 2013, 1-2 July 2013, 8-10 July 2013, 15 July 2013, 18-19 July 2013, 25-26 July 2013, 28 July - 2 August 2013, 5-9 August 2013, 12-14 August 2013, 16 August 2013, and 19-21 August 2013.

¹ Insert "verbatim" or "summarized" as appropriate. (This form will be used by the Army and Navy for verbatim records of trial only.)

² See inside back cover for instructions as to preparation and arrangement.

(6) Forfeiture of H&Cs NTE 25 percent of monthly allotment.

c. Management actions

(1) Suspension of any above actions NTE 180 days.

(2) Detail/housing unit change.

(3) Reduction in custody/level to Max custody.

(4) Other recommendations considering extenuating circumstances and the violation.

5104. CONFINEMENT FACILITY OFFENSES. The laws, rules, and regulations applicable to confinement are too numerous to quote in their entirety. Copies of appropriate Service instructions/regulations, references (a) and (c), and other regulatory guidance applicable to confinement may be made available to prisoners. The below list describes some of the offenses. This is not a complete list of offenses for which prisoners may be disciplined. Reference (a) also applies to all military prisoners housed in confinement facilities.

1. Academic Misconduct (Category III offense). Missing class through design or misconduct, cheating or assisting another to cheat on any academic or vocational training examination, disrupting an academic or vocational training session.

2. Aiding Another (Category I, II, III, IV, or V offenses). Conspiring with, soliciting, or aiding another to commit or attempt any prohibited act, to include failing to report a prohibited act. The level of offense will be the same as the prohibited act.

3. Arson (Category V offense). Igniting any item, which could cause personal injury or damage to any property.

4. Assault (Category III, IV, and V offenses). To attempt or offer to do bodily harm to another with unlawful force or violence, with apparent ability to do so. Category IV offense, if with a weapon or consummated by battery. Category V offense, if against a staff member or commissioned officers.

5. Assault Consummated by Battery (Category IV or V Offense). To intentionally and without consent, strike, touch, or apply force to the person of another, either directly or indirectly, resulting in either bodily harm or an offensive touching of any form.
6. Attempt (Category I, II, III, IV, or V offenses). Any attempt to do a prohibited act, including any steps of preparation necessary to accomplish the prohibited act.
7. Being Unsanitary or Untidy (Category I offense). Failing to keep one's person, clothing, or living area sanitary and per prescribed standards. This offense includes littering of common use areas, etc.
8. Breach of Peace (Category III offense). Use of rough (offensive), loud, profane, boisterous language or action, which disturbs or threatens the peace and good order of the confinement facility.
9. Bribery/Solicitation (Category IV offense). Asking, offering, rendering, accepting or receiving anything of value, this includes personal services, with intent to influence another to make a decision or commit an act that is prejudicial to the good order and discipline. This offense also includes bribing or soliciting civilian and military personnel while in the performance of their official duties.
10. Cell Alteration (Category II offense). Making unauthorized changes to living quarters such as, but not limited to, moving furniture, painting or marking walls, hanging items to block the view into the living area, or affixing shading devices to lights.
11. Communicating a Threat (Category IV offense). Communicating verbally, in writing, or by physical gestures, a message intended to, or which may reasonably be expected to intimidate or threaten another, either directly or indirectly. This includes conditional threats or intimidation.
12. Communications Tampering (Category I offense). Tampering with any part of a radio jack, headset, television, telephone, etc.

13. Conduct Which Threatens (Category III offense). Any conduct which interferes with the orderly running, safety, good order and discipline, or security of the confinement facility.

14. Contact Between Male and Female Prisoners (Category III offense). Any physical contact between male and female prisoners is prohibited, except within the scope of duties. Verbal communication between male and female prisoners is prohibited except, as necessary on a detail, or at official confinement facility programs. Written correspondence is covered in the unauthorized writing rule. Female and male prisoners will not socialize during fellowship times at religious services or gatherings.

15. Counterfeiting (Category IV offense). Knowingly making, submitting, reproducing, or altering any signature, writing, document, article, or identification, money, security, or official paper without proper authority.

16. Damaging or Destroying Property (Category IV offense). Defacing, altering, or destroying property belonging to the government, or belonging to an individual. Anything issued to a prisoner is government property (e.g., confinement facility operating instruction, identification badges, cell furnishings, clothing, and all equipment). This offense also includes marking, defacing, or destroying any posted instructions/orders.

17. Disobedience (Category III offense). Disobeying an order given by civilian or military personnel in the performance of their duties, to include failure to comply with any order in a timely manner.

18. Disorderly Conduct (Category III offense). Conduct of such a nature as to affect the peace and quiet of individuals, or who may thereby be disturbed or provoked to resentment. This charge could encompass all participants in a fight, regardless of who started the fight, or against individuals who engage in disruptive conduct, such as trashing the confinement facility (e.g., throwing things on the floors, or flooding the facility by any means).

19. Disrespect (Category IV and V offenses). Being disrespectful in language or actions toward or about any member

of the military service confinement staff or commissioned officers, or other person of authority.

20. Escape (Category V offense). Leaving custodial control, including departing the confinement facility or detail under escort, or job site without proper authority.
21. Extortion (Category IV offense). Demanding or receiving anything of value, to include personal services from another, by threatening to harm or exposure to authorities, etc.
22. False Statement (Category II offense). Lying to a staff member about an official matter, either verbally or in writing. Signing or printing the name of another on any official document without authority of confinement staff. Any prisoner who, with intent to deceive, signs any false record, return, order, regulation, or other official document, knowing it to be false, or makes any other false official statement knowing it to be false, is guilty of this offense.
23. Funds Manipulation (Category IV offense). Directly or indirectly transferring money or negotiable instruments, including, but not limited to, checks and money orders to another, except as specifically authorized. Receiving money or negotiable instruments from a person or persons is identified as a prohibited source for funds.
24. Gambling (Category III offense). Participating in games of chance for anything of value, to include personal services. Use of authorized recreational equipment for games of chance, or operating of any gambling pool. Possession of gambling paraphernalia.
25. Indecent Exposure (Category III offense). Intentionally exhibiting one's sexual organs, bare buttocks, or in the case of a female, bare breast, to another or to public view.
26. Interfering with Count (Category IV offense). Delaying or interfering with count. Prisoners will have 3 minutes to move to their cells or areas when lockdown is ordered. They will position themselves so they are readily visible to the staff member conducting count. Cell lights will remain on during count (except during normal sleeping hours).

27. Intoxicants (Category V offense). Possession, introduction, manufacture, or use of any narcotic, narcotic paraphernalia, drug, or intoxicant not prescribed by the medical staff.

28. Larceny (Category III or IV offense). The taking of any property (Category III Personal or Category IV Government owned) without authority.

29. Lock Tampering (Category IV offense). Tampering with locking devices or other security equipment, to include obstructing doors to prevent them from locking.

30. Loitering (Category I offense). Linger, moving slowly, stopping, or pausing in any area during individual or mass movement. Taking more than the prescribed time to consume a meal.

31. Malingering (Category II offense). Self-inflicted injury, or faking an injury or sickness (includes abuse of sick call), for purposes of avoiding any responsibility, requirement, or an order.

32. Medicine Misuse (Category II offense). Use, possession, or storage of medicine, except as authorized by the confinement medical staff. Failure to take medication as prescribed by confinement medical staff.

33. Mutilation (Category III offense). Tattooing, piercing, marking, or maiming any part of the body or another person's body.

34. Out of Place (Category IV offense). If prisoners are not at their designated detail, housing unit, scheduled appointment, religious activity, recreational activity, or dining area, and are not on pass or under escort, they are out of place. Simply stated, if prisoners are not where they are supposed to be, they are out of place. This includes prisoners who deviate from the most direct authorized route from one authorized location to another.

35. Possession, Introduction, or Use of a Weapon (Category V offense). Construction, introduction, possession, or the use of weapons is expressly forbidden. Weapons include, but are not

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limited to: guns, knives, clubs, brass knuckles, saps, blackjacks, and hard object(s) in a sock or similar container, or any item modified so it could be used as a weapon (e.g., modifying a disposable razor to expose the cutting edge, or placing a bar of soap in a sock).

36. Possession of Stolen Property (Category IV offense).

Having on one's person or in one's living area property belonging to another or the government, which has been stolen. While actual knowledge that the property was stolen is required, such knowledge may be inferred and proved by circumstantial evidence.

37. Profiteering/Racketeering (Category IV offense). The

loaning, buying, selling, transferring, receiving, lending of property, or anything of value for profit or increased return.

38. Prohibited Property (Category III offense). Anything not

specifically authorized by proper authority to be in a prisoner's possession is prohibited. Prisoners must obtain and keep written permission from the BRIG O, or authorized representative, to possess any item not authorized by this instruction. Any item not specifically authorized and found in a prisoner's possession while outside the housing unit will be considered prohibited property. Possession of property obtained from trash receptacles, or that which was discarded in any other way by other prisoners or staff is prohibited.

39. Provoking Words or Gestures (Category III offense). Verbal

or written communications or physical gestures that may anger, irritate, or incite another to induce a breach of peace under the circumstances.

40. Rations Misuse Confinement Facility (Category III

offense). Use of any ration in any manner for which it was not intended, such as throwing a ration item, using rations to make intoxicants, using rations in other illegal acts, wasting rations, or adding foreign substances to rations.

41. Rations Misuse Personal (Category II offense). Use of

any H&C items or other personal rations for other than their intended purpose.

42. Resisting Forced Cell Moves (Category V offense). Any action taken to impede, resist, or interfere with the actions of forced cell move teams, including, but not limited to, trying to keep the cell door closed, throwing objects at the teams, attempting to grab team members while in the performance of their duties, etc.

43. Rules Violation (Categories II and IV offenses). Violation of any posted or published confinement facility rule. This includes, but is not limited to, the rules or instructions posted in housing units, details, and other offices/work areas, limitations imposed by recreation restriction, quarters and medical profiles, the terms of MIN or trusty pledges, visitation rules, and requirements not otherwise specified as institutional offenses.

44. Running (Category I offense). Running anywhere inside the confinement facility is prohibited, except as appropriate when engaged in authorized recreational activities, or as part of the confinement-training program.

45. Sexual Misconduct (Category IV offense). Soliciting, threatening, or engaging in sexual or lewd conduct with another.

46. Staff Harassment (Category II offense). Any comment, conversation, question, or other communication (verbal or non-verbal expressions) intended to or which may reasonably be expected to anger, irritate, or demean a staff member. Such communications will be considered staff harassment, when directed to a staff member or to another, and overheard or observed by a staff member.

47. Suffering Loss of Property (Category II offense). Loss of property due to carelessness, to include loss of property due to unsecured lockers within the living areas, whether or not the prisoner is present.

48. Trafficking (Category III offense). Selling, buying, trading, giving, receiving, or lending any item within the confinement facility is prohibited except as specifically authorized by the proper authority.

49. Unauthorized Ordering (Category II offense). Purchasing or ordering goods or services that are not authorized, or

purchasing or ordering goods or services in a manner that is prohibited.

50. Unauthorized Contact with Staff Members, Former Staff Members, or Former Prisoners (Category III offense). Any contact or communications by a prisoner with confinement staff members, other than during the normal course of duty performance, or during a confinement facility sponsored activity, is prohibited. Prisoners are also prohibited from communicating with, or having contact with prisoners confined in other institutions, former prisoners, or former staff members, except as authorized in advance through a request by the prisoner concerned to the BRIG O.

51. Unauthorized Use of Mail or Telephone (Category III offense). Using the mail or telephone for unauthorized purposes as specified by law, regulation, or confinement facility rules.

52. Unauthorized Writing (Category III offense). Writing, distributing, or possessing any written motto, creed, saying, or drawing within the prisoner population, whose content is designed to or could disrupt the confinement facility by encouraging strikes, riots, fights, racial or religious hatred, or other prohibited acts. Written correspondence between prisoners is also prohibited, to include correspondence with former prisoners and prisoners in other institutions (civilian or military). Correspondence with staff or former staffs, except as authorized by the BRIG O, is prohibited.

53. Violation of reference (a) (Category IV and V offenses). Violation of any punitive articles of reference (a), regardless of whether the misconduct violates a confinement facility rule. Category V if the violation meets the specifications for any Category V offense.

5105. AUTHORIZED DISCIPLINARY ACTIONS

1. If appropriate, prisoners may be recommended to their parent CO for punishment under reference (a), article 15, or trial by courts-martial.

2. CO/OIC (NAVCONBRIG XO in cases of minor punishments) may impose any of the applicable disciplinary and management actions per article 5105.3 upon any person, including members of other

military services, confined in the facility. Suspension of any disciplinary actions for a probationary period, not to exceed 6 months, is authorized.

3. One or more of the following disciplinary actions may be imposed on a prisoner for misconduct:

- a. Administrative reprimand or warning.
- b. Full or partial loss of privileges. The privileges subject to DA are those established to encourage good conduct.
- c. Extra duty. Extra duty shall not conflict with regular meals, regular sleeping hours, regular visiting hours, attendance at scheduled religious services, or interviews with authorized persons (e.g., chaplain, medical officer, legal counsel, etc.). Extra duty shall be limited to 2 hours per day for a maximum of 14 consecutive days and shall consist of constructive and useful work. Extra duty shall not be served on Sundays and holidays, although they count in the computation of the period for which such punishment is imposed.
- d. Forfeiture of GCT/ET/SAA. Any or all of the prisoner's GCT/ET/SAA, to include that GCT administratively predicated for pretrial confinement, may be forfeited. All GCT and abatement allowances earned up to the date of violation may be forfeited. Except for time forfeited for parole violations, COs/OICs of the confinement facility may subsequently restore GCT/ET/SAA forfeited by themselves or another CO/OIC. Forfeiture resulting from escape also shall not be restored.
- e. Disciplinary Segregation (DS). DS shall be imposed in those cases considered serious from the institutional standpoint, but which may not be initially referred for action under reference (a), article 15, or courts-martial. Prisoners serving DS shall remain in their assigned cells except as noted below. Assignment to DS does not automatically warrant a reduction to maximum custody.
 - (1) DS shall be served in a single occupancy cell, where the prisoner cannot communicate with unauthorized personnel, and most privileges (specifically identified) shall be denied. Prisoners shall remain in their cells at all times except as specified below or when specifically authorized by competent

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authority. They shall not be taken out of the cells to attend religious services. Assistance in the observance of denominational requirements, when available, shall be provided in the cells when appropriate. Prisoners in DS shall not participate in recreational activities, but may be entitled to a sunshine call if conduct warrants.

(2) CO/OIC is authorized to impose a special diet in conjunction with DS. DSSD shall only be imposed when expected to create a positive effect and shall not be used as a routine adjunct to DS. Certification by the medical officer prior to imposing DSSD is required to document that this additional measure shall not adversely affect the prisoner's health. This documentation shall be filed in the prisoner's file. The mess officer shall document the amount of calories for each meal and special diets shall consist of three meals daily to provide not less than 2,100 calories daily. All items of the regular daily ration shall be included except sweets and desserts. Normal standards of preparation and service of food shall be maintained. Water shall be the only drink. DSSD may not exceed 15 days. Termination of DS automatically terminates special diet.

(3) Prisoners in DS shall be permitted to receive mail and write letters, and at the discretion of the CO/OIC/CPOIC, to receive personal visitors. Official visits shall be permitted at the confinement facility. Under no circumstances shall a prisoner in DS be precluded from corresponding or consulting with counsel and corresponding with the privileged correspondents.

(4) Meals shall be served in the cells.

(5) A 1-hour exercise period and a 5 to 10 minute shower privilege shall be granted daily when the prisoner's behavior is satisfactory. At a minimum, prisoners shall be allowed to shower every other day.

(6) DS shall not exceed the limits authorized per article 5103 and shall be terminated as soon as the prisoner demonstrates that segregation has served its purpose. However, the CO/OIC shall, at a minimum, review all prisoners in a DS status each 15 days. Duration of confinement in DS shall be

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determined by, and take into account, any improvement in the prisoner's conduct and attitude.

(7) CO/OIC or designee, and a member of the medical staff shall visit each prisoner in DS daily, log such visits, and recommend a change in status to the CO/OIC when it is considered segregation has served its purpose

(8) A DD 509, Inspection Record of Prisoner In Segregation, shall be maintained adjacent to each prisoner's cell in DS.

(9) Prisoners released from DS shall normally be placed in MDI.

e. Preceding disciplinary actions are specific as to those a prisoner may receive and by whom they may be administered. Adding to or making adjustments of legally administered punishment is prohibited.

5106. ADMINISTRATION

1. Prisoner Record

a. Copies of all investigations and D&A Board proceedings, unless dismissed, shall become a part of the prisoner's file. The prisoner's conduct record shall show dismissals with no details.

b. CO/OIC/CPOIC shall maintain a record of all disciplinary actions for each prisoner. To the largest extent possible, such record shall be populated within the CORMIS or its automated equivalent.

2. Disciplinary Log

a. A disciplinary log shall be maintained to record each DR and the action taken by the CO/OIC or XO as applicable. If approved in advance by NAVPERSCOM (PERS-63), an automated log is authorized.

b. The log shall contain chronological entries showing the date of the offense, date of the D&A board, the prisoner's name, social security number, a brief statement of the offense, the

d. All logs maintained by the facility shall be bound ledgers with consecutively pre-printed numbered pages.

e. The disciplinary log shall be retained for 2 years from the date of the last entry and then destroyed.

5107. TRAINING. CO/OIC/CPOIC shall ensure all staff and prisoners are fully aware of the discipline program.

1. Instructions concerning the elements of GCT, discipline program, as well as prisoner responsibilities, shall be thoroughly explained in the reception phase.

2. Orientation of the discipline program shall be included in pre-service/in-service training and annually thereafter for all staff personnel.

5108. FORMS. DD 2714, Inmate Disciplinary Report; and DD 2713, Inmate Observation Report are available at <http://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>.

SECTION 2. GENERAL REQUIREMENTS

5201. PERSONAL APPEARANCE

1. Prisoners shall be clean, neat, well-groomed, and afforded the opportunity shower daily, unless conduct warrants otherwise. Article 5105.3e(5) of this manual applies.

2. Except for a facility badge, prisoners shall wear their service uniforms in the manner prescribed or, when directed service wide, wear authorized prisoner uniforms. Pretrial prisoners in Navy confinement facilities (both officers and enlisted) shall not wear metal rank insignia while confined in the facility except for courts-martial appearances; they shall be authorized to wear their cloth grade insignia on their

working uniform if their working uniform allows for such. Post-trial prisoners shall not wear rank insignia while confined in a naval confinement facility.

5202. Grooming Standards. Prisoners confined in military correctional facilities shall be subject to the rules and regulations, to include standardized uniform, grooming and hygiene standards, of the facility, regardless of the service affiliation or the prisoner. Pretrial prisoners shall wear their hair per current grooming regulations of the prisoner's service. Haircuts shall not be administered for the purpose of harassment or humiliation, but only to ensure a uniform, military appearance. Facial hair is not authorized for post-trial prisoners or correctional custody awardees. Policies regarding grooming standards for post-trial and discharged prisoners shall be published separately by NAVPERSCOM (PERS-63) and CMC (PSL Corrections).

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CHAPTER 6 CORRECTIONAL PROGRAMMING

SECTION 1. PROGRAMMING POLICIES

6101. GOALS OF THE CORRECTIONAL PROGRAMS. Goals of naval correctional programs are

1. to restore maximum number of prisoners to active duty at the earliest possible time for offense-free service.
2. to provide prisoners returning to civilian life with whatever resources are available to make a successful reentry.
3. ideally to emulate a well run military environment with staff personnel fulfilling leadership roles and acting as positive influences. A traditional form of military management divides a large operation into subunits or sections and gives the unit leader authority to carry out certain assigned functions. This management style, involving all confinement facility staff, is highly recommended to facilitate meeting program goals.

6102. LEGAL IMPLICATIONS OF PROGRAMMING

1. Prisoners shall not be coerced into revealing information about their personal lives, which may be needed for classification, counseling, or programming.
2. Individual's rights as stated in 5 U.S.C., section 552a are to be protected. A Privacy Act (PA) Statement shall be provided to new prisoners as they enter the reception phase and are asked to provide personal information. The form will be filed in their prisoner record. Reference (n) will be followed and information maintained on prisoners shall conform with requirements set forth in PA Systems Notice N01640-1 (appendix B).
3. A prisoner shall attend all programs which are part of the daily routine/plan of the day. The restoration program is mandatory for all personnel returning to duty, and the pre-release program is mandatory for personnel returning to civilian life.

6103. MINIMUM ACCEPTABLE PROGRAM REQUIREMENTS

1. Per reference (s) , following minimum levels of programs are established:

a. All confinement facilities (core programs). PT; recreation; individual counseling; group counseling; work; incentive; life skills; and religious.

b. Level I. Core programs plus, academic education; drug and alcohol education; and crisis intervention.

c. Level II and III. Core and Level I programs plus, victim impact; stress and anger management; sex offender/violent offender treatment program access; vocational; functional skills testing; remedial education; and high school level education classes or GED.

2. Commands operating confinement facilities shall establish and conduct, or maintain the capacity for conducting, the minimum acceptable programs for the level of their facility. Commands are encouraged to exceed these requirements to the maximum practical extent of the resources available or which can be made available from the surrounding military or civilian communities. NAVPERSCOM (PERS-68) and CMC (PSL Corrections) specify other required programs in separately issued confinement facility and correctional custody instructions. In addition, NAVPERSCOM (PERS-68) or CMC (PSL Corrections) shall establish a system to evaluate corrections programs. Evaluation shall provide management information to ensure efficiency and effectiveness of the corrections process.

3. NAVPERSCOM (PERS-68) and CMC (PSL Corrections) shall monitor the existence and performance of these programs and, at least every 3 years, assign program adequacy classifications following on-site review and technical assistance visits. Program adequacy classifications are as follows:

a. Class 1. All required programs are in effect and additional mission-oriented programs are available.

b. Class 2. Required programs are in effect.

c. Class 3. Required programs are not in effect. Corrective action is required.

SECTION 2. RECEPTION PROGRAM

6201. BASIC ELEMENTS

1. All confinement facilities shall conduct a reception program. At a minimum, the program shall cover subjects in paragraph 4 below. The spirit in which it is carried out can determine prisoners' reaction to the overall program. Feelings of hostility and resentment can be replaced by respect for authority if it is administered in a fair but firm manner. The process includes immediate action on new prisoners' problems identified through prompt preparation of, and action upon, DD 2710, Inmate Background Summary.
2. The reception program includes admission processing, orientation, and initial screening for custody, work, and program participation. Interviews by key staff members shall be accomplished during this phase. Some processing can be accomplished in a group situation. Prisoners are most impressionable when first confined and are apt to be emotionally upset and worried. Attitude they adopt depends largely on the attitude of staff. Prisoners shall be told exactly what is expected of them and the privileges they may earn including factual information about their status. Program shall include interviews with staff members, initial evaluation and custody classification, and instruction in local regulations. During reception, new prisoners shall be quartered apart from the general population to the greatest extent practicable.
3. During reception, detainees shall be given their article 31(b) rights prior to any attempt to identify what caused the detainee to allegedly offend. Prisoners (post-trial) do not require such rights. Efforts shall be made to identify what caused prisoners to offend, the programs available to help them solve their own problems, and the local resources available. Any information provided in counseling sessions by prisoners must be on a purely voluntary basis. Detainees may be assigned to any program that will assist them in adjusting to being incarcerated.

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4. Following are required topics for indoctrination:

- Purpose of correctional program
- Chain of command/organization
- Inspections
- Work and training opportunities
- Military courtesy and conduct
- Contraband
- Escape and attempted escape
- Interviews and requests
- Explanation of sentence and transfer requirements
- Red Cross assistance
- Emergency leave and telephone calls
- Clemency and parole opportunities
- Mail and visiting
- Custody classification, including incentives
- Daily routine
- Fire and disaster bills
- Education opportunities
- Religious program and worship services
- Authorized purchases
- Function of various boards
- Medical and dental services
- AIDS information
- Rules & regulations
- Restoration program
- Mental health and self-help programs

5. Military and motivational training shall be started during this phase, to include military courtesies, moral guidance, personal adjustment, and citizenship training.

6. Completion of reception will be documented in the prisoner file per local policy.

6202. INITIAL CLASSIFICATION

1. An initial custody classification of MDI will be assigned except when MAX is required due to special circumstances. Naval confinement facilities shall also be guided by the objective classification program.

2. Upon completion of the reception process, the BRIG O may assign an interim custody classification pending the next meeting of the C&A Board.
3. In Navy confinement facilities, initial processing shall include assessment of all prisoners using AIMS (see article 4202.7).

SECTION 3. PROGRAMS

6301. DEFINITION AND POLICY

1. Definition. Confinement facility program is the aggregate of all resources used to encourage constructive change in the prisoners.
2. Policy. It is DON policy that confinement facilities provide a climate conducive to positive change, with programs tailored to the needs of prisoners and the service, and a system which recognizes and rewards acceptable behavior while disciplining unacceptable behavior. Confinement facility program recognizes the critical role of the staff members as role models of successful behavior.

6302. PROGRAM SCHEDULING

1. To the greatest extent practicable, specialized programs shall occur after prisoners' working hours. Working hours of counselors and program staff, both military and civilian, will coincide with this schedule.
2. Availability of resources may dictate that a few special programs be conducted during the normal workday, but such scheduling shall be kept to a minimum in order not to reduce the required work hours.
3. A program plan shall be developed based on needs of prisoners and resources available at the facility to provide maximum benefit to the service.
4. Scheduling shall be designed to reflect a 40-hour prisoner work week. Specialized programs, as designated by NAVPERSCOM (PERS-69) or CMC (PSL Corrections), may be substituted for work hours.

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6303. FUNCTION OF THE CLASSIFICATION AND ASSIGNMENT (C&A) BOARD

1. A C&A board shall be established at each confinement facility and shall be responsible for establishing the individual prisoner's program upon completion of orientation. Board is concerned with custody, work assignment, special training, and other phases of corrections. Board shall insure each prisoner, working with a counselor or case manager, has begun to develop specific goals of both a short and long-term nature. This board shall be composed, at a minimum, of the next senior staff member to the CO/OIC, BRIG O, CPOIC, or designated representative, one senior staff member from security, one from programs, and any other members appointed by the CO/OIC. At consolidated briggs, a mental health specialist and chaplain shall be assigned. In larger confinement facilities, C&A board may be established at the unit level where the prisoner is berthed.
2. Where practicable, and not assigned to the facility staff, representatives from outside the confinement facility, including staff specialists, such as a psychologist or chaplain, may be appointed to the board. Board shall meet at least weekly, or more often if necessary, to review prisoner program plans and determine whether changes in programs, custody, etc., are appropriate. Prisoners may appear before this board to discuss their program or changes thereto if considered necessary. Board's recommendations shall be recorded and signed by the CO/OIC, BRIG O, or CPOIC as approving officer. When circumstances indicate necessity for immediate action, the CO/OIC, BRIG O, or CPOIC may make changes in custody, classification, etc., without board action. Changes shall be a part of the agenda of the next C&A board meeting.
3. When prisoners complete the orientation phase, the C&A board shall make an initial determination of whether restoration is applicable. Where restoration is appropriate, prisoners shall be assigned to a restoration program and entered into activities to enhance their value to the service.
4. Prisoners initially considered not to have a potential for further service shall be assigned to a program to prepare them for civilian life.

5. Prisoners may be changed from one program to another as the situation dictates.

6. Although the C&A board does not directly order a prisoner into a specific correctional program, except for short periods of orientation or for motivational purposes, it does authorize assignment to a program based on needs of the service, prisoner's desires, and counselor's recommendation. All individual program changes shall be approved by the board and appropriate notations made in the prisoner's file.

6304. DISPOSITION BOARD

1. Duties. Disposition board evaluates prisoner progress and makes recommendations for restoration, clemency, parole, separation, or other action deemed necessary. Primary concern shall be whether or not further confinement will benefit the service and the prisoner. If not, the board shall recommend the prisoner's return to duty or discharge. In the case of Navy prisoners confined in Navy confinement facilities, if the recommendation is for return to duty, the servicemember's CO will assure that a service record entry is made to this effect, warning the individual any future disciplinary involvement will result in administrative separation processing. Each parole applicant is entitled to a personal hearing before the board per article 508d of reference (e). In cases other than parole hearings, the decision to allow an appearance by a prisoner lies within the sole discretion of the board. Prisoners need not appear unless it is considered to be of value to the prisoners or the board, or to afford the prisoners the opportunity to defend them against unfavorable information. Board may also recommend changes in custody, program, work assignment, or training. Reviews shall be scheduled in a timely manner so administrative separation processing, if required, will be completed while the individual is in confinement. Board recommendations will be provided using DD 2715-1, Disposition Board Recommendation.

2. Membership. Formal appointments shall be established for membership of the board and its meeting times. At a minimum, the disposition board shall be composed of a member from Transient Personnel Unit (TPU) (Navy), a mental health specialist where available, and an officer or senior enlisted member from the confinement facility (Navy). Disposition board

may also be composed of senior officers, senior enlisted, senior civilians, and any other members directed by the CO/OIC. A minimum of three members must be present at each meeting. Board recorder will be assigned or appointed by the facility CO/OIC. Presiding member shall be as directed by the CO/OIC. CO/OIC shall indicate in writing concurrence or non-concurrence with board's recommendation.

3. Clemency and Parole Recommendations

a. Clemency and parole recommendations will be forwarded to the appropriate military service Clemency and Parole Board per the appropriate military service clemency and parole regulations.

b. Clemency requests for U.S. Coast Guard (USCG) prisoners. There is no automatic clemency review for USCG prisoners. Upon completion of all legal reviews, Commandant will request a DD 2715-1/2/3, Clemency and Parole Submission and a recommendation from the Naval Clemency and Parole Board (NCPB). NCPB shall contact the confinement facility for a progress report. The facility shall only conduct a review for a USCG prisoner for clemency consideration when there has been a positive initiative by the unit or the counselor to recommend clemency. Forward board recommendations to the Commandant USCG via the NCPB. Prisoner shall be told this is a non-binding report. Any time USCG prisoners desire to initiate a clemency request, they shall be referred to USCG Appellate Counsel for advice and coordination at (202) 267-0272.

c. When a parole recommendation is based on limited observation, the board shall indicate this in the progress report. Prisoners who have difficulty preparing a viable parole plan in less than 6 months may either submit an inadequate parole plan at the 6-month point or delay submission until they have a satisfactory parole plan. This is the prisoner's option and any delay shall not be extended so as to deny NCPB adequate time to hear the case prior to release or release planning.

4. Progress Report Submission. Progress reports will be submitted per the military services' current clemency and parole regulations. For Navy/Marine Corps and USCG, refer to reference (e); for Army, AR-15-130; and for Air Force, AFI-31-205.

6305. COUNSELOR/PROGRAM DEVELOPER/CASE MANAGER ROLE IN
CORRECTIONAL PROGRAMMING

1. Counselors/program developers/case managers shall be aware of locally available programs and their potential for correction of a given individual. Counselors/case managers shall discuss these with prisoners and recommend a program schedule tailored to the individual's immediate and long-range needs, goals, and plans.
2. Counselors, through the use of individual counseling sessions and feedback provided by other personnel shall monitor a prisoner's progress. This information will be used to make recommendations to appropriate boards in the housing unit or confinement facility. Larger confinement facilities shall assign a staff member full time to monitor prisoner's program progress.

6306. PROGRESS EVALUATION. A prisoner's progress can be measured effectively by reporting procedures required by this manual. Counselors/case managers shall combine feedback from the academic instructor, chaplain, work supervisor, and others to present a total evaluation to the C&A or disposition board as appropriate.

6307. INDIVIDUAL COUNSELING

1. Prisoners shall be assigned a counselor and case manager at Navy consolidated brigs. This shall be a trained senior enlisted person or trained civilian upon whom they can rely for assistance and personal guidance.
2. Individual counseling commences with the initial interview, which must be conducted the first working day after entering confinement, continues through the pre-release interview, and shall occur at least weekly for 20-60 minutes for Level I prisoners and biweekly for Level II prisoners, depending on the prisoner's problems and needs. All counseling shall be documented on DD 2719, Continuation Sheet or in CORMIS.
3. CO/OIC, BRIG O, or CPOIC shall involve quarters supervisors in guidance functions. With training in directive-type and reality-styled counseling techniques, these staff members could assume primary responsibility for the day-to-day guidance of a

small number of prisoners and for handling routine problems of all personnel. Correctional counselors would still have overall counseling responsibilities for prisoners assigned to them, but could concentrate on in-depth counseling of personality problems and group counseling. This can be done with a unit management approach to operating the confinement facility.

4. At a minimum, following documentation will be used to record results of individual counseling and will be filed in the prisoner's record.

- a. DD 2710, Inmate Background Summary.
- b. DD 2715-2, Inmate Summary Data.
- c. DD 2719, Continuation Sheet.

5. In naval confinement facilities, each staff member providing counseling will maintain an individual log listing every individual and group counseling contact and indicating length/location/type of counseling and key topic title. These logs will be used by the CO/OIC, BRIG O, CPOIC, and programs officer, and during inspections for quality assurance and assessment purposes.

6309. GROUP COUNSELING/THERAPY

1. Groups are divided into two distinct types: formal therapy groups under the direction of a professional, and group counseling sessions conducted by the correctional counselors or qualified volunteers. Groups allow individual prisoners to interact with their peers in a guided manner and thereby learn coping skills. Formal curriculum shall be utilized to facilitate offense-related groups, e.g., "Crossroads" or National Institute of Corrections "Thinking for a Change."

2. Groups shall meet weekly for a specified period of time, usually 1-2 hours. Constant turnover experienced by most facilities requires constant screening of new arrivals to ensure group size maintains a workable level and all who can benefit from group counseling have the opportunity to participate. Individuals who would be counterproductive in groups (e.g.,

overly aggressive or fearful) shall not be placed in groups unless special preparation and membership is provided.

3. Proper training in-group counseling techniques shall be a part of the formal in-service training of each counselor/discussion leader.

4. Group counseling sessions will be documented and results of group counseling shall be recorded on DD 2719, Continuation Sheet, and placed in the prisoner's file.

6309. WORK PROGRAMS

1. In order to increase productive utilization of prisoner labor, local commanders will ensure productive work is made available ashore and on-board ship. Those units desiring prisoner working parties will submit their requests to the confinement facility; work supervisors will ensure work to be performed is worthwhile and constructive. Confinement facility may require the requesting unit provide trained escorts and transportation to and from the work sites. Confinement facility shall provide training for escorts. Discretion must be exercised in assigning prisoners to many types of jobs, and appropriate supervision must be provided. Suitable work for prisoners includes maintenance and repair of the facility, salvage, conservation of government property, services provided for nearby government organizations, and manufacturing of articles for government use.

2. Following work assignments are prohibited:

a. Duties that place one prisoner in authority over another prisoner, except for training, and then only when directly supervised by a staff member.

b. Duties that are for exclusive benefit of a private individual or private organization, including individual staff members of the confinement facility (i.e., non-official business).

c. Work that is inherently dangerous or hazardous to the prisoner, except in emergency situations.

d. Assignments that require handling of, or access to, drugs, narcotics, intoxicants, uncrated explosives or weapons,

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money, security equipment, classified material, keys or personnel (staff or prisoner) records or files.

e. Prisoners shall not be required to observe duty hours or training schedules devised as punitive measures, except as provided for under administrative punishments.

3. Employment of Pretrial Detainees. It is necessary to recognize the difference in status of detainees (see article 7103.1a). Since the corrections program is rehabilitative and corrective in nature rather than punitive, detainees may be assigned to participate in program activities with prisoners under the following circumstances:

a. Classroom instruction and other training activities, not designated as punitive.

b. Various police, fatigue, and work details which may be assigned to duty personnel in the maintenance and operation of the command, and which are not designated as punitive.

c. Except as provided for above, detainees must work separately from prisoners.

4. Employment of Different Custody Classification Prisoners. Prisoners may be mingled on a given assignment, regardless of custody classification. If assignment is outside the facility, supervision shall be furnished as required for the highest custody classification represented (normally MDO).

6310. ACADEMIC EDUCATION PROGRAM. An academic education program will be made available to all prisoners in confinement facilities that routinely hold prisoners in excess of 3 months.

6311. RESTORATION PROGRAM. All confinement facilities shall establish a restoration program, organized and equipped, to provide selected offenders training, with a view toward their honorable restoration to duty or possible reenlistment. NAVPERSCOM (PERS-68) and CMC (PSL Corrections) shall publish implementing policy by separate instruction.

6312. INCENTIVE PROGRAM. A system of incentives shall be provided to encourage positive behavior. Incentives shall

recognize both group and individual attainment. Awarding of incentives for prisoners shall be accomplished on a stringent and selective basis. Ultimate goals are to build self-discipline in the individual, reward positive behavior, and improve functioning of the confinement facility.

1. Incentive awards will be firmly grounded in the philosophy that prisoners will clearly earn every incentive they receive above the minimum requirements of this instruction. Absence of an incentive program is preferable to a poorly or loosely run program. Incentives will be awarded based on measurable performance and may change on a weekly basis. Incentives will not be tied to a custody classification. Incentives are expected to be earned with effort and lost quickly due to poor performance or behavior.

2. Incentives will not be awarded absent a basic level or satisfactory performance on assigned work details and inspections, as well as offense-free behavior. Groups may also be evaluated on such items as the number of group observation reports, and group incentives may be based on competition or on achieving a pre-set standard, as local needs dictate.

3. Incentives may be earned, on an individual basis, for such areas as:

a. Outstanding performance at a personnel or property inspection.

b. On-going superior performance on job assignment(s).

c. Performance of work beyond that required.

d. Individual attainment, e.g. completion of rate study, correspondence course.

e. Compliance with, and active participation in, prisoner's individual program plan.

4. Group incentives may be earned for such areas as:

a. Superior quarters performance on inspections.

b. Highest average of individual inspection scores.

c. Smallest group total of negative observation reports for group members, etc.

5. Where local policy authorizes, authority to suspend incentives for a prisoner for a period not to exceed one watch of that supervisor may be delegated to a quarters supervisor. Each instance will be documented and forwarded to CO/OIC, BRIG O, or CPOIC, and in the case of consolidated brigs, the department head, no later than the next normal workday. Loss of incentive(s) for other than one watch rotation will be determined by the C&A board, Unit board (Navy), or D&A board.

6. Examples of incentives include the following:

- a. Extra recreational television/movie on weekends for a group.
- b. Extra telephone calls.
- c. Longer visiting (beyond required minimum).
- d. Choice of cell/room/space within custody or housing unit assignment.
- e. Preferred line assignment for meal serving order.
- f. Personal battery-operated radios (earphones normally must be used).
- g. Extra recreation time.

7. Incentives will not include job assignments or custody changes.

6313. LIFE SKILLS

1. Main goals of this program are to teach coping skills that will enable prisoners to function within military or civilian society. Program will include, but not be limited to, the following:

- a. Interpersonal communications.
- b. Problem solving.

6314. RECREATION

1. Prisoners shall have access to basic physical and non-physical recreational activities, although passive recreation will be kept to a minimum where alternatives exist. A recreation program including both individual and group activities will be provided based upon command resources. Extra recreational activities may be part of the incentives program. Recreation may include the following:

a. Organized athletics, i.e., baseball, basketball, etc. Contact sports are authorized, and must be properly supervised.

b. Minimal access to television and radio; additional access may be earned through positive behavior.

c. Recreational library usage.

d. Weight lifting equipment and instruction.

e. Movies

(1) The type/content of movies shall conform to statutory limitations and the limitations of this policy. Brig COs/OICs/CPOICs shall designate an individual or board, such as the literary review board, to select and approve videotaped movies to be shown to prisoners consistent with the policy guidelines contained herein. All copyright and licensing agreements must be strictly enforced.

(2) X-rated movies shall not be shown to prisoners. Movies rated R or NC-17 may only be shown to prisoners if they have been edited for general public viewing, such as those shown on network television stations. However, not all edited movies may be appropriate for brig and caution must be used in

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approving such movies. Foreign language films or other movies that are not rated may be shown if they do not include profanity, graphic violence, or nudity.

(3) Television reception of other than network channels shall be available to prisoners only if movies rated X, R, or NC-17 can be blocked out either electronically or by staff.

6315. PT

1. A PT program will be developed in conformance with service standards. Command facilities may be utilized. PT shall be conducted on a daily basis and shall be led, by example, with a staff member or members. Enclosures (4) and (5) to reference (u) contain the recommended basic conditioning and warm up exercise program recommended for Navy personnel. Below program is intended for Navy confinement facilities only; Marine Corps confinement facilities shall implement a locally developed program consistent with Marine Corps standards.

2. This regimen is intended to eliminate those exercises which involve simultaneous bending and twisting at the waist since such exercises have been determined to cause back injury. Any exercises included in reference (u) may be used in any confinement facility/CCU exercise program. Exercises noted here are intended to provide a reasonable range of appropriate PT that waterfront brig/CCU's can accomplish during an average PT period.

3. Time limits cited are guidelines and not absolute. Age, physical condition, and motivation of prisoners, detainees and awardees as well as facility's training schedule shall be the deciding factor as to how long physical fitness training shall be performed.

4. Following physical fitness program is recommended for prisoners and awardees in Navy confinement facilities and CCUs:

a. Specific limitations

(1) A PT exercise period shall be limited to 40-45 minutes, including instruction. Type of exercises recommended herein shall be performed in both the manner and sequence presented. This sequence has been designed to

(a) ensure a proper warm-up in individuals who may not be in top physical condition.

(b) ensure proper working of each major muscle group.

NOTE: Deviation from the recommended sequence of exercises is permitted when due consideration has been given to the degree of warm-up and the level of proficiency of participants.

(2) Prior to commencing an intensive PT period, each participant will be given an opportunity for a drink of water and a head call.

(3) PT will not:

(a) Be required of individuals with valid medical restrictions.

(b) Be carried to the point of illness or physical exhaustion.

(c) Be performed within 15 minutes prior to a meal or 1 hour following a meal.

(d) Be performed under circumstance which will bring undue embarrassment to a participant or as a means of harassment or punishment.

(e) Be performed in extreme heat or cold.

(f) Be performed on unsafe surfaces (mud, snow, non-skid surfaces, etc.) or under any other unsafe conditions.

b. A PT period will consist of the following:

(1) A warm-up period consisting of stretching exercises contained in enclosures (4) and (5) as reference (a), and a period containing the exercises listed below. Warm-up exercises shall concentrate on those muscles which will be worked by the exercises and shall produce a steady strain with no bouncing or other forcing of muscle groups.

(2) Following exercises are listed with target repetition numbers. Many people will be able to achieve or

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exceed these numbers, some will not. The important factor is that participants do their best.

Trunk Twists (side-to-side)	25
Trunk Bender (fore and aft)	25
Toe Touches (sitting)	25
Trunk Side Stretches	20
Arm Circles	1 minute each (forward & back)
Jumping Jacks	75
Run in Place	3 minutes
Sit-ups	40 (males) 33 (Females)
Push-ups	19 (males) 11 (females)
Run in Place or Run	20 minutes 1.5 miles

c. There shall be reasonable breaks of a minute or two whenever the exercise leader determines it necessary. During this period, water shall be made available. After all exercises have been completed, 10 minutes shall be allowed for cooling down. During this period, stretching exercises as outlined in enclosure (5) of reference (u) shall be performed.

d. PT shall be performed on a daily basis and will always be led, by example, with a staff member. A second staff member shall be present to work with individuals needing assistance with technique, to watch for signs of distress, and to help in delivering the program.

e. Safety remains the primary consideration in any Navy PT program. During periods of high temperature/high humidity, slowing or curtailment of physical activity must be given due consideration.

6316. RELIGIOUS PROGRAM

1. Chaplain. Chaplain will direct the religious program, and provide for worship services, religious education, and pastoral care that accommodates the doctrinal or traditional observances of the religious faith practiced by individual members consistent with health, safety, and the overriding need for good order and discipline. Under the direction of the chaplain, prisoners and community resources may be used in the religious program. Command/unit chaplains shall be encouraged to visit prisoners from their organizations and to participate in the facility's religious program. The pastoral relationships established will be of special benefit when prisoners are restored to duty. Appointed chaplain will coordinate the visitation program of unit chaplains and their participation in the facility's religious program. A close working relationship between the confinement facility staff and the chaplain shall be developed.

2. Religious Practices

a. Prisoners will be neither coerced into nor rewarded for the practice of religion. Questions regarding religious practices shall be referred to chaplains for their recommendations. After consultation with the chaplain and a staff judge advocate, the BRIG O shall approve such religious practice requests unless the following two-part test is met:

(1) A requested religious practice interferes with the security or good order of the confinement facility, or with some other compelling governmental interest.

(2) Restrictions or denial of the prisoner's practice of religion is the least restrictive means available to ensure the achievement of such compelling governmental interest.

b. Requests for special religious practices or privileges will be presented on a DD 510, Request for Interview. Response to the request will be recorded on the card indicating date and

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time, and if denied by the CO/OIC, the reason. A copy of the chit will be placed in the individual prisoner's file.

6317. TESTING AND EVALUATION PROGRAM

1. Testing and evaluation of prisoners depends largely on size and capability of the facility and legal status of the prisoners. Some areas of testing are indicated below and shall be used as applicable to the individual facility and service.

- a. General Education Diploma (GED) testing.
- b. Physical fitness testing.
- c. Occupational preference testing.
- d. Military requirements.
- e. Battle Skills (USMC).

6318. WORK RELEASE PROGRAM. This program requires special authorization by NAVPERSCOM (PERS-69) or CMC (PSL Corrections).

6319. STUDY RELEASE PROGRAM. This program requires special authorization by NAVPERSCOM (PERS-69) or CMC (PSL Corrections).

6320. UTILIZATION OF LOCAL RESOURCES. Mutually supportive arrangements with the local military and civilian communities shall be established and maintained. A well rounded corrections program will use qualified local resources when the need arises. Volunteers may be used to conduct some programs or to assist staff members in conducting them.

6321. GENERAL MILITARY TRAINING (GMT). In addition to a specialized counseling program tailored to the needs of personnel returning to duty, a GMT subjects program shall be provided per service requirements for personnel returning to duty.

SECTION 4. PRE-RELEASE

6401. PRE-RELEASE PHASE. Planning for prisoners' release begins upon reception and continues throughout confinement. At the time a prisoner is to be released from the confinement

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facility, few problems or questions shall remain. The pre-release phase is an opportunity to prepare the prisoner for final release to the command or community. Final details for release, e.g., transportation, uniform, gear, finances, and orders shall be explained and coordinated during this phase. The emphasis of this phase will vary according to whether or not a prisoner is being restored to duty.

6402. DAILY TRAINING PROGRAM. In Navy confinement facilities, a daily training schedule will be provided on a 4-week cycle in other than consolidated briggs. While it is preferred that entry be at the beginning of a week, a prisoner may commence training at any point in the cycle. Program shall be presented by the training supervisor or correctional counselor with the assistance of the quarters supervisor. Prisoners confined for more than 4 weeks will participate in a second cycle of the training regimen. Prisoners confined for more than 8 weeks will be assigned to other training or work projects after completion of 8 weeks of training. Prisoners who will be returning to duty and those who are scheduled for discharge will be trained in separate groups. Pretrial personnel will be trained separately or with return to duty personnel. If practical, training shall be conducted in small groups of 10-15 prisoners.

1. Individual local schedules may vary from this cycle with approval of the Echelon 2/3 command with documentation forwarded to NAVPERSCOM (PERS-68).

2. In naval consolidated briggs, significant effort is to be placed into pre-release programs within the units/departments. Pre-release coordinators are integral to unit/departments decisions and planning with individual prisoners and will be involved totally with pre-release planning and goals for all prisoners.



CHAPTER 7
CONFINEMENT, RELEASE, TRANSFER

SECTION 1. CONFINEMENT REGULATIONS

7101. PURPOSE OF CONFINEMENT. An individual is sentenced to confinement as punishment, for rehabilitation, and as a deterrent to other individuals. Sentence to confinement expresses the retribution demanded by society that the individual offended and removes offenders from society for a specified period. Confinement period shall be oriented towards rehabilitation of the prisoner.

7102. DEFINITION AND CONSTRAINTS

1. Definition. Confinement is the physical restraint of a person (section 809(a) of reference (a)).

a. Pretrial. Confinement may be imposed before trial per article 7102.2a of this manual.

b. Detention. A servicemember may be detained pending initial disposition of a case. Detention may be used when there is probable cause to believe an offense has been committed by the member, and circumstances indicate temporary confinement is needed for public safety or well being of the servicemember. See article 7101.3 for length of time a member may be retained in detention.

c. Post-trial. Confinement may be imposed after trial as a result of a court-martial, or to confine a probationer prior to vacation of a suspended sentence which includes confinement (R.C.M. 1109 of reference (c)).

d. Bread and Water (B&W)/Diminished Rations (DIMRATS). Confinement on B&W/DIMRATS may be imposed as punishment upon personnel in paygrade E-3 or below, attached to or embarked in a vessel.

2. Constraints. Authority to confine persons as provided for in article 7201 is modified or constrained by the following parameters:

a. Pretrial Confinement. Pretrial confinement may be imposed before trial per reference (c), R.C.M. 305.

b. Initial Reviewing Officer Notification. BRIG Os shall notify the Initial Reviewing Officer and local Naval Legal Service Office/Legal Service Support Section within 24 hours of pretrial confinement of personnel.

c. Detention. Temporary confinement under the circumstances described in article 7102.1b shall be only for the purposes specified. Once the reason for detention is no longer applicable, the individual will be placed in pretrial confinement or released, even though maximum time permitted for detention has not expired.

d. Probationers may be confined prior to vacation of a suspended sentence which includes confinement and when there is probable cause or reasonable ground to believe the servicemember has committed acts in violation of the conditions of the suspension.

e. Administrative Discharge. A person shall not be placed in confinement based solely on impending administrative discharge proceedings.

f. Special Categories. Officers will be confined per provisions of article 7103.2b.

g. Other Prisoners. No member of the armed forces may be placed in confinement in close contact with enemy prisoners, or foreign nationals who are not members of the United States Armed Forces, except as specified in article 7104.6.

h. Acceptance of Prisoner. No member of the confinement facility staff shall refuse to receive or keep any prisoners committed to their charge by a commissioned officer of the armed forces, when the committing officer furnishes a statement, signed by them, of the offense charged against the prisoner (reference (a), article 11(a)) and appropriate medical personnel have certified in writing on DD 2707, Confinement Order, the person is physically fit for confinement (see article 7205). "Safekeeping" and "protective custody" are not legal reasons for confinement.

i. Punishments. Per reference (a), article 13, no persons, while being held for trial may be subjected to punishment or penalty other than arrest or confinement, nor shall the arrest or confinement imposed upon them be any more rigorous than the circumstances require. Individuals, however, may be subject to minor punishment during such a period for infractions of discipline. Administrative disciplinary measures provided for under this statute are defined in chapter 5 of this manual.

j. Parole Violator

(1) By Suspension. Suspension of parole interrupts the sentence, unless the parolee is re-confined. A parolee who is not confined during a suspension of parole is not entitled to confinement credit for the period of suspension; however, NCPB may authorize full or partial credit retroactively when it either revokes parole or rescinds the suspension and reinstates parole.

(2) By Revocation. NCPB may revoke parole if parolee's behavior warrants return to confinement and the necessary due process rights are afforded to the parolee during the revocation process. In appropriate circumstances and upon request of the parolee, NCPB may defer executing the revocation for a period of time normally not exceeding 1 year. If, during the period of this deferment, parolee commits any further violations of a condition of parole, NCPB may cancel the deferment, execute revocation, and re-confine parolee upon notice to the parolee and without further proceedings. Parolees who have not been re-confined pending parole revocation proceedings will, within 24 hours of receiving notification of the revocation of their parole from their U.S. Probation Officer, return to confinement as directed.

7103. CATEGORIES OF PRISONERS

1. Legal Status Categories

a. Detainees. A detainee is a person who has been legally ordered into confinement and is awaiting trial or rehearing, or is being held for questioning pursuant to an order by competent authority. This includes those persons who are pending vacation of a suspended sentence which includes confinement. There is a clear requirement for differentiation in programs, primarily in

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work areas, for sentenced and un-sentenced prisoners (United States v. Nelson, 18 U.S.C.M.A. 177, 39 C.M.R. 177 (1969); reference (a), article 13; and R.C.M. 304(f) of reference (c)). Detained personnel in a confinement facility shall be referred to as detainees.

b. Transient Prisoners. A prisoner held in confinement pending disposition instructions from another command, awaiting transportation to a designated confinement facility, or return to parent unit.

c. Prisoners. Persons adjudicated by courts-martial or military tribunal/military commission and ordered into confinement are prisoners whether or not the sentence has been ordered into execution.

2. Special Categories

a. B&W or DIMRATS for Prisoners

(1) These punishments are authorized by reference (a), article 15, and may be imposed only upon an enlisted person in pay grade E-3 or below who is attached to or embarked in a vessel. Confinement on B&W, or DIMRATS, shall not be imposed for more than 3 consecutive days.

(2) Rations furnished a person undergoing confinement on B&W shall consist solely of bread and water. The amount of bread and water shall not be restricted and will be served three times daily at the normal time of meals.

(3) A person undergoing confinement on DIMRATS will receive three meals daily which will contain no meat, poultry, fish, eggs, butter, milk, sweeteners, desserts, and table condiments, and only one-half rations of all other items of the regular menu. Normal standards of preparation and service of food will be maintained. Water will be the only drink.

(4) Neither B&W nor DIMRATS may be imposed as disciplinary measures unless the medical officer pre-certifies in writing that a deterioration of the prisoner's health is not anticipated as a result of such action.

(5) Prisoners serving sentences of B&W or DIMRATS will be confined in a cell and will be bound by the procedures set forth for disciplinary segregation cells. They will not be removed for work or physical exercise.

(6) A pre-confinement medical examination shall be obtained before B&W/DIMRATS punishment is carried out, regardless of whether punishment is a new admission, a continuation of confinement, or a readmission of a person previously released from confinement. Good conduct time is not credited for B&W/DIMRATS punishment.

b. Officer Prisoners

(1) Officer prisoners include warrant officers, commissioned officers, cadets, midshipmen, and officer candidates. Preferably, officers shall be placed in arrest in quarters or another suitable place apart from the confinement facility. Where local confinement facilities are inadequate, a request for designation of a place of confinement shall be forwarded to NAVPERSCOM (PERS-68) or CMC (PSL Corrections). A report of all officer confinements shall be submitted immediately to NAVPERSCOM (PERS-68) or CMC (PSL Corrections). In all cases, a telephone report shall be paralleled by an electronic report. The telephone report and electronic report, submitted via E-Mail, shall contain the officer's name, social security number, command, summary of offenses (alleged or convicted), and a point of contact for additional information (Note: Make the document For Official Use Only, Privacy Act Sensitive). For Navy officers, the report shall be sent not only to NAVPERSCOM (PERS-68), but also to NAVPERSCOM (PERS-6834). If report is by message, in the case of pretrial confinement of officers, only the fact an officer of a certain pay grade (e.g., O3/O4) has been confined and a summary of the offenses alleged shall be reported by message.

(2) Officer prisoners, both pretrial and post-trial, will be treated the same as enlisted prisoners with the following exceptions:

(a) Officer prisoners will be berthed separately from enlisted prisoners. Pretrial officers will be berthed separately from post-trial officers.

(b) Single occupancy cell berthing constitutes appropriate billeting separation. Where multiple berthing exists (i.e., dorm), separation can be accomplished by segregation of spaces within the same berthing area.

(c) Officers shall utilize confinement facility support services areas (e.g., mess decks, library, small stores, etc.) without regard to separation from enlisted prisoners.

(d) Officers shall participate in those phases of the correctional orientation or treatment program determined by the CO/OIC/CPOIC to be necessary to assure their control, custody, employment, training, health, and welfare. When participation is deemed appropriate, integration of officer prisoners with enlisted prisoners is authorized.

(e) Officer prisoners will not exercise any command or supervisory authority over other prisoners or confinement facility staff while confined.

(f) Officer prisoners will comply with rules and regulations of the confinement facility to the same extent as any other detainee or prisoner. They will follow orders of all staff members, regardless of grade.

(g) Disciplinary measures allowed are the same; a D&A Board recommendation is required.

(h) Officer prisoners are not rendered a salute, not addressed by their grade, and, in order to prevent injury to the officer or others, they do not wear ribbons or collar devices at any time except for attendance at court-martial or official functions. All Navy pretrial officers shall wear their cloth grade insignia on their working uniform if their working uniform allows for such. Post-trial prisoners shall not wear grade insignia, or other accoutrements, on their working uniform.

(i) When transferring pretrial officers from one confinement facility to another, the senior escort will be an officer of equal or higher grade, or as designed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Post-trial officers may be escorted by qualified enlisted escorts of any grade.

(j) Pretrial and post-trial officers shall be escorted by qualified escorts of any grade when involved in the normal movements carried on by the confinement facility (e.g., sick call, legal matters, work parties, etc.).

(3) When a sentence to dismissal has been executed, the dismissed officer prisoner will continue to be confined with, and otherwise handled as, an enlisted prisoner.

c. Female Detainees/Prisoners. Confinement facilities will not be used to confine female servicemembers unless specifically approved and certified by NAVPERSCOM (PERS-69) or CMC (PSL Corrections). This approval will be granted only if the criteria listed in (1) through (4) below are satisfied. Rules and regulations regarding apprehension, arrest, restriction, detention, and confinement shall apply equally to members of both sexes. All female detainees and prisoners are to be incarcerated in military confinement facilities unless a waiver of this policy is approved by a second echelon commander in the Navy or Marine Corps. Waivers shall be requested on a case-by-case basis for detainees and short-term prisoners (not to exceed 30 days) who, upon approval, may be confined in an appropriate civilian institution (usually a Federal metropolitan correctional center or jail under contract to the U.S. Marshals Service). Pending decision by the approving authority of a waiver request, such individuals may nevertheless be confined in an appropriate civilian facility for up to 72 hours. Confinement or detention of female servicemembers in naval facilities may be effected when:

(1) There are no servicemembers of the opposite sex confined in the same space at the same time.

(2) Ashore confinement facilities ensure total visual and acoustic berthing separation of males and females confined if simultaneous confinement of male and female servicemembers is authorized. Afloat confinement facilities shall provide visual separation to ensure adequate privacy during use of the toilet, showering, changing clothes, and similar periods of nudity. This will be accomplished by use of privacy screens/partitions for each head area/facility, shower, etc.

(3) Trained and qualified female staff members are utilized.

(4) Confinement criteria as directed by this manual are met.

d. Pregnant Prisoners

(1) Care and management of pregnant prisoners is governed by SECNAVINST 1000.10, OPNAVINST 6000.1B, and MCO 5000.12D. Pregnancy does not preclude confinement in naval confinement facilities as long as appropriate prenatal care is provided and there is a medical treatment facility nearby which can provide for labor, delivery, and management of obstetric emergencies.

(2) Options available in dealing with pregnant prisoners include the following:

(a) If pregnancy of a prisoner presents special or unique situations, it shall be noted the prisoner may request deferment of the sentence to confinement per R.C.M. 1101(c) of reference (c).

(b) Clemency may be authorized per reference (e), article 6304.3 of this manual, and sections 0158 and 0159 of the Judge Advocate General's (JAG) Manual. Under article 6304 of this manual, clemency in the form of sentence reduction would normally be recommended by the confinement facility only when it is felt further confinement would not benefit the prisoner and the naval service.

(3) A prisoner considering elective abortion will be permitted to discuss the matter with a medical officer or nurse practitioner and, if desired, with a chaplain or other counselor. Other than offering services of a counselor, medical officer, or a chaplain, confinement facility personnel will not attempt to influence the prisoner's desires regarding abortion. If a prisoner desires to seek an abortion, she must consult the medical officer for additional guidance. Confinement facility assistance will be limited to providing necessary transportation and security for visits to the facility where the abortion is performed and follow-up care is provided.

(4) Arrangements for placement of any child born while the mother is in custody must be made as soon as possible after the pregnancy is known. If possible, arrangements shall be made

prior to the 7th month of pregnancy. It is the responsibility of the expecting mother to decide what care arrangements will be made for her child. Alternatives include placing the child with relatives, in a foster home, or for adoption. The confinement facility will assist the mother in making arrangements with the NLSO/Fleet and Family Support Center (FFSC). Infants must be moved to the location of placement directly from the hospital. The granting of leave for a prisoner to take her child for placement may be considered; however, if not granted, the person designated to provide temporary care shall come to the hospital to receive the child. All expenses involved in the placement of the child will be borne by the individual.

(5) Following either abortion or delivery, a period of reduced activity is normal. Reduced activities will be determined by the examining medical officer.

e. Other Than U.S. Military Facilities. A report of all naval prisoners placed in pretrial confinement or serving a court-martial sentence in other than U.S. military facilities will be marked "For Official Use Only" and submitted to NAVPERSCOM (PERS-68) or CMC (PSL Corrections), as appropriate, in the following format:

- (1) Name (post-trial only).
- (2) Rate or grade.
- (3) SSN (post-trial only).
- (4) Gender.
- (5) Command ordering confinement.
- (6) Offense(s) charged or convicted (include specification(s)).
- (7) Date confined.
- (8) Where confined.
- (9) Sentence (include discharge, if any).
- (10) Anticipated release date from confinement or from

military control (including administrative discharge, if appropriate).

(11) Point of contact and telephone number.

(12) Remarks.

f. Civilian Prisoners/Detainees. Civilians (not to include discharged military prisoners) confined under provisions of reference (a) or under an order issued by a military tribunal/military commission are subject to the same rules and regulations, and will be accorded the same treatment as military prisoners. Civilian prisoners/detainees shall not be required to wear any military uniform or engage in any military or PT or acts of protocol other than normal civility. They must observe the regulations governing behavior and security control of prisoners. Participation in rehabilitative programs is permitted. Civilian prisoners/detainees may be assigned appropriate work and may draw health and comfort items if they are without funds or income. A report of the circumstances of all civilian confinement will be immediately submitted to NAVPERSCOM (PERS-68) OR CMC (PSL Corrections). Name and SSN of pretrial detainees will be omitted and reported via telephone.

g. Discharged Military Prisoners

(1) Treatment. Discharged military prisoners confined under provisions of reference (a):

(a) Shall be afforded the same treatment as non-discharged military prisoners.

(b) Shall observe the rules and regulations governing behavior and security control of prisoners.

(c) Shall be allowed to participate in rehabilitative programs.

(d) Shall be assigned appropriate work.

(e) Shall draw a gratuitous issue of health and comfort items.

(2) Uniform. Uniform worn shall be as prescribed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

(3) Military Training. Discharged military prisoners shall not take part in return to duty programs. Goal of the correctional program with respect to discharged prisoners is to prepare them for return to offense-free civilian life as part of the greater community-at-large. Participation in formation movements is expected and required, but providing discharged prisoners with military training in close order drill is not authorized.

(4) Physical Training (PT). Discharged military prisoners will be allowed the opportunity, but are not required, to participate in organized PT. When participating, they will follow the same protocols required of non-discharged prisoners. Discharged prisoners who elect not to participate will remain in their cells/rooms during the evolution, or separated from the activity.

(5) Inspections. Discharged military prisoners will participate in all personnel and property inspections to the same degree as non-discharged prisoners.

(6) Incentive Program. Discharged military prisoners may participate in the facility's incentive program the same as non-discharged prisoners.

(7) Courtesy. Courtesy standards shall continue to be followed in the same manner as non-discharged prisoners confined in the same facility.

(8) Personal Hygiene and Appearance. Standards shall continue to be followed in the same manner as non-discharged prisoners confined in the same facility. Grooming standards shall conform to regulations of the service from which discharged, or as directed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

h. Confinement Under Status of Forces Agreement (SOFA). U.S. military personnel in overseas areas may be confined in confinement facilities if being investigated for, or charged with, offenses against the laws of the host country, and SOFA with the host country requires the United States ensures the

presence of the offender at the trial. DD 2707, Confinement Order, shall show in the remarks section: "Confined to ensure presence at the court per the SOFA agreement between the United States and (Host Country)."

1. Foreign Military Personnel. Confinement of foreign military personnel in naval confinement facilities is normally precluded by 22 U.S.C., section 706 unless the President makes a declaration that the confinement of members of a given friendly force is necessary for the maintenance of discipline. Requests for such authorization will be forwarded to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) who will coordinate with the International Law Division, Office of Judge Advocate General, and Under Secretary of Defense for Personnel and Readiness (Program Integration).

7104. DESIGNATION OF INITIAL PLACE OF CONFINEMENT

1. Criteria. When the convening authority orders a sentence of confinement at hard labor into execution, that action will designate an initial place of confinement per criteria of this chapter and on the basis of time remaining to be served on the approved sentence, without credit for good conduct time. Designation shall be made per the type and length of sentence rendered. NAVPERSCOM (PERS-68) or CMC (PSL Corrections), as appropriate, will issue specific instructions for designation of places of confinement. In the management of corrections programs, subsequent designation of place of confinement shall be directed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

a. Convening authorities and station COs operating confinement facilities may request re-designation from the Echelon 2/3 command of the place of confinement for an individual when any of the following conditions prevail:

- (1) Prisoner has previously escaped or attempted escape from the facility, and adequate security to prevent repetition does not exist at that command.
- (2) Prisoner has been involved in a serious disorder or act of violence.
- (3) Prisoners behavior are such that they constitute a serious custodial problem, or seriously disrupts the confinement

facility program or operation, and the confinement facility does not have adequate segregation capabilities.

(4) Prisoner is a relative or close friend of any facility staff member.

(5) Prisoner is a former staff member of the facility.

(6) Length of confinement, gender, programs availability, and DOD confinement level designation does not conform to mission needs.

(7) Existing inter-service support agreements.

b. Convening authority shall consider the above factors when designating a place of confinement. Transfers for the above reasons shall be submitted for action by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Prior coordination with the convening authorities shall occur if the request for transfer is prior to their actions.

2. Pretrial. Prisoners in pretrial status shall be confined in the nearest or most convenient military confinement facility.

3. Ships. Shipboard brig may be designated as place of confinement for Navy and Marine Corps personnel with sentences to confinement of 30 days or less. When these prisoners are confined ashore, and have 30 days or less to serve at the time their ship deploys for extended operations, their command shall arrange to have them transferred from the confinement facility and returned to their ship prior to or during its deployment.

4. Use of Civilian Confinement Facilities

a. If no military confinement facilities are reasonably available, civilian confinement facilities may be utilized. See reference (c), R.C.M. 1113. The report required in such case is described in article 7103.2e of this manual.

b. Facilities shall normally be the same used by the U.S. Marshals Service for housing Federal prisoners of the same legal status, age, and gender. (Usually a Federal metropolitan correctional center or jail under contract to the U.S. Marshals

Service.) COs may request the name and location of such facilities by contacting the nearest U.S. Marshals office.

c. For Navy personnel, all costs associated with such confinements shall be borne by the confining command. For Marine Corps personnel, forward all requests for payment to CMC (PSL Corrections) per reference (i). Subsistence costs for military personnel confined in civilian facilities will be no more than those paid for civilian Federal prisoners. Information on these costs can be obtained from the cognizant U.S. Marshals office.

d. Prior to confining military personnel in a civilian facility, the following procedures must be observed:

(1) A determination of the individual's fitness for confinement shall be made prior to such confinement. See article 7205.

(2) Determine types and quantities of personal effects and clothing the institution permits. Ensure they accompany the individual upon confinement and are re-supplied as necessary.

(3) Ensure Initial Review Officer hearings are conducted and coordinate necessary legal services. Command visits will be accomplished at least once weekly, per article 7208 of this manual. Command visits may be extended to one every other week with interim telephonic contact for commands more than 50 miles from the place of confinement.

5. Use of Other Military Confinement Facilities

a. Joint usage of military confinement facilities will be conducted per current DOD directives for consolidation of military confinement facilities.

b. If naval personnel are to be confined in the confinement facilities of another service, they will first be processed per section 2 of this chapter.

c. Prior to any command entering into an agreement with another service for joint usage of a confinement facility, a copy of any proposed draft agreement shall be forwarded to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) for review and

comment prior to finalization of the agreement. This is to ensure conformance to DOD guidelines on confinement agreements and memoranda of understanding.

6. Foreign Civilian Confinement Facilities

a. Pretrial. Where no military confinement or detention facility is available, foreign civilian confinement facilities may be used for pretrial confinement of naval personnel who are charged with serious offenses against reference (a). Following conditions shall be met:

(1) Senior officer present must approve such facilities based upon adequacy of security features, safety of prisoners, and adequate living conditions.

(2) In each case where a foreign confinement facility is used, a message report will be made per article 7103.2e of this manual.

b. Post-trial. When post-trial confinement is ordered, prisoners shall be immediately transferred to an appropriate U.S. military confinement facility.

7105. USE OF NAVAL CONFINEMENT FACILITIES BY CIVILIAN JURISDICTIONS

1. Policy. It is DOD policy not to confine civilian personnel, not subject to reference (a), in naval confinement facilities. Only Secretary of Defense (SECDEF) or designee may grant exceptions.

2. Procedure. Requests by Federal, State, or local law enforcement agencies to use a naval confinement facility to confine a civilian shall be made in writing by the originating agency at least 7 days before the desired date of detention. Such requests will be staffed through the second echelon commander of the facility and NAVPERSOOC (PERS-68) or CMC (PSL Corrections), who will coordinate with ASN (M&RA), Personnel and Readiness (P&R). When time does not allow forwarding of written communication, such requests may be processed through the above specified chain of command by facsimile. Telephone requests will be considered only in emergencies.

b. Civilian escorts shall secure their weapons at the weapons locker or other secure space.

c. Prisoner shall be confined in an area having a minimum of traffic, and where there will be no contact with military prisoners.

d. If perimeter or exterior security measures are required, they will be provided by the using agency, subject to authorization of the CO.

e. If there is an attempt to breach security, and if it becomes imperative for personnel guarding the prisoner to have weapons to protect the prisoner's life, weapons will be returned and they may be taken into the cell block. If this situation arises, NAVPERSCOM (PERS-68) or CMC (PSL Corrections) shall be notified immediately by the most expeditious means.

4. Support. The following are authorized support on a reimbursable basis, insofar as possible:

a. Cell/housing space.

b. Food for staff and prisoners.

c. Medical care on an emergency basis until appropriate transfer can be arranged.

SECTION 2. CONFINEMENT PROCEDURES

7201. AUTHORITY TO ORDER PRETRIAL CONFINEMENT

1. Officers/Midshipmen/Cadets/Civilians. Commissioned officers, warrant officers, midshipmen/cadets, or civilians may be ordered into arrest or confinement only by a CO exercising

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command authority over them. This authority may not be delegated (R.C.M. 304(b) of reference (c)). Orders to confine may be written or oral and delivered in person or by another commissioned officer. Civilians may only be restrained under these rules when they are subject to trial by court-martial.

2. Enlisted Personnel. An enlisted person of the naval service may be ordered into arrest or confinement by an order, written or oral, of any commissioned officer and delivered in person or through any other person subject to reference (a). COs may authorize warrant officers, petty officers, or noncommissioned officers to order enlisted persons of their command, or subject to their authority, into arrest or confinement (R.C.M. 304(b) of reference (c)). This authority will not normally be delegated to grades below the grade of E-6.

3. Other Armed Services. Members of other armed services may be ordered into arrest or confinement by members of the naval service, as limited above, provided contact is made with the offender's CO by the most expeditious means requesting confirmation of the status of the member and the disposition to be made in the case. NAVPERSCOM (PERS-68) or CMC (PSL Corrections) will be notified.

4. Civilians. Civilians confined under provisions of reference (a) may be confined only under conditions described in article 7103 of this manual. Confining civilians being detained for, or convicted of, offenses against civilian criminal codes is generally precluded by 18 U.S.C., section 1385, but exceptions are possible under conditions and procedure prescribed in article 7105 of this manual.

5. Status of Forces Agreement. Naval service personnel may be held in confinement facilities pending action by a foreign civil court under the conditions prescribed in 7103.2h.

6. Foreign military personnel may be confined in naval confinement facilities only under the conditions prescribed in article 7103.2i of this manual.

7202. PRETRIAL CONFINEMENT

1. Notification and Action by the Commander

a. Unless the commander of the prisoner ordered the pretrial confinement, the commissioned, warrant, noncommissioned or petty officer to whose charge the prisoner was committed shall, within 24 hours after that commitment, provide a report to the commander including the name of the prisoner, the offenses charged, and the name of the person who ordered or authorized confinement.

b. This report may be made by any means. Ordinarily, the immediate commander of the prisoner shall be notified. In unusual cases, any commander to whose authority the prisoner is subject may be notified.

2. Advice to the accused shall consist of the following:

a. Nature of the offenses for which held (article of reference (a) and a brief explanation).

b. Right to remain silent and a warning that any statement they make can be used against them in disciplinary proceedings.

c. Right to counsel.

d. Procedures by which pretrial confinement will be reviewed.

3. Notification and acknowledgment of the requirements contained in articles 7202.2.a, b, c, and d of this manual will be accomplished and shall be signed by the person being placed in pretrial detention and the staff member explaining the above provisions. This notification and acknowledgment shall then be made a permanent part of the detainees' brig record. Notification will be completed at the time of confinement.

4. Inform Parent Command. If the person is confined by other than that person's CO (e.g., a straggler returned to the ship's homeport when the ship is deployed), the confinement facility shall have a standard message format prepared for informing the person's parent command of pretrial confinement.

7203. CONFINEMENT ORDER. A properly completed DD 7707 with details of offense(s) and medical certification of fitness for confinement must accompany the offender to the confinement facility at the time of confinement, except in an emergency

where oral confinement is properly directed. Details on proper completion of the confinement order may be found in article 8105 of this manual. If the confinement results from a sentence adjudged by a court-martial, the confinement order will be accompanied by a report of results of trial signed by the summary court-martial officer, or by the trial counsel of the special or general court-martial imposing the punishment, and a completed DD 2704, Victim/Witness Certification and Election Concerning Inmate Status.

7204. RECORDS

1. Following individual records shall accompany all offenders at the time of confinement:

- a. Health record.
- b. Dental record.

c. Reports of results of trial of personnel serving sentences of confinement, including pretrial agreements where applicable.

2. Service records shall be transferred per reference (b) (Navy) or reference (i) (Marine Corps), except in cases of non-judicial punishment directing confinement to B&W or DIMRATS.

7205. MEDICAL EXAMINATION/INITIAL EXAMINATION

1. Initial Examination. Before acceptance of persons for confinement, they shall be examined, or screened, by qualified medical personnel to determine fitness for confinement to identify any medical problems, and to provide recommendations to the confinement facility regarding appropriate medical care. Member's medical record, when available, shall be provided to the examining medical personnel at the time of the pre-confinement medical examination.

a. Medical officers, nurse practitioners, and physician assistants can perform confinement physical examinations.

b. Physical limitations to full duty performance shall be so specified in writing by the examiner. Examining official shall note on the original confinement order the presence of

cuts, bruises, or unusual marks. Females will be given a pregnancy test and results noted on the confinement order. Persons ordered into confinement displaying irrational or inappropriate behavior which is symptomatic of mental disturbance or effects of hallucinatory substances, shall be referred to a physician who will determine the requirement for hospitalization. Provisions of NAVMEDCOMINST 6520.1A will be followed when dealing with prisoners with suspected suicidal ideations or behavior. Also refer to article 4205.5 of this manual.

c. When a qualified medical examiner is not available (e.g. after regular working hours) medical screening for confinement may be performed by a hospital corpsman. Brig medical officer or other medical officer designated to supervise medical services for the confinement facility shall designate such hospital corpsmen qualified to perform this interim medical screening. In all cases, the prisoner shall be examined by a qualified medical examiner within 24 hours of confinement.

d. In the absence of the medical record at the time of initial confinement or transfer, the medical officer will evaluate and document the need to continue medications the prisoners report they are currently taking.

2. B&W/DIMRATS. A sentence to confinement on B&W/DIMRATS may be executed only if a medical officer examines the prisoner and certifies in writing that service of such sentence will not, in the medical officer's opinion, produce serious injury to the health of the member. Prisoner shall be examined at a military treatment facility whenever possible. When examined at the place of confinement, medical examiner will be provided an appropriate space and facilities to conduct a competent physical examination.

3. Re-certification. Re-certification of fitness for confinement is not required except for cause. Any interruption of confinement for periods over 24 hours will necessitate a new physical examination. Examinations may be requested for shorter periods when circumstances indicate. Prisoners transferred between confinement facilities will not require a new medical examination unless unusual circumstances exist. Any prisoner returning from emergency leave, regardless of length of leave,

shall have a re-certification of fitness for confinement at the time of confinement.

4. Refusal to Take Confinement Physical. If a prisoner refuses to allow authorized medical personnel to perform the initial or re-certification physical examination, following applies:

a. Individual shall be directly ordered to undergo the examination.

b. If the order is refused, it is acceptable for medical personnel to make a determination regarding fitness for confinement from medical records, audible information, and what they are able to observe. Individual's refusal and determination of fitness via observation and records shall be noted on the confinement order.

c. If medical personnel cannot make the determination of fitness, individual will be accepted into confinement and rescheduled for physical exam when the medical officer deems appropriate.

(1) A notation will be made on the confinement order that the individual refused the confinement physical and a physical will be rescheduled when the medical officer deems appropriate.

(2) A notation, similar to article 7205.1(b) of this manual, will also be made stating the reason why a determination could not be made.

(3) Prisoners will be retained in medical segregation or administrative segregation, as appropriate, pending determination of fitness for confinement.

(4) Prisoners will not be allowed into the general population without a completed and proper medical examination, (e.g., not an examination based on records review and observation only, etc.).

(5) Prisoners will be quarantined in a medical facility if so ordered by the medical officer.

d. Prisoners may be charged under reference (a) for failing to obey a lawful order by the medical officer.

7206. LOGISTICAL SUPPORT BY CONFINING COMMAND

1. Uniforms shall accompany the prisoner at the time of confinement, and shall be provided per articles 8206 and 8213 of this manual.
2. Health and comfort supplies sufficient to last for the period of confinement, or up to 1 month, will accompany the prisoner to the confinement facility and shall be provided by the command ordering confinement. See articles 8207 and 8211 of this manual for details.

7207. INITIAL REVIEW

1. Directive. Determination of the need for continuation of pretrial confinement will be per reference (c), R.C.M. 305(h)(2). Unless the prisoner's commander was the officer who ordered the pretrial confinement under reference (c), R.C.M. 305(d) of the prisoner's commander must complete review of the pretrial confinement under reference (c), R.C.M. 305(h).
2. Local Support. Initial reviews shall normally be conducted at the confinement facility. BRIG Os will provide timely notification to the Initial Review Officer (IRO) within 24 hours of initial confinement. An area shall be provided at the confinement facility for holding such reviews. Every effort shall be made to provide an atmosphere appropriate for a review per reference (c), R.C.M. 305(i).

7208. COMMAND VISITS

1. Required. Although prisoners are involved in the program established within the confinement facility, there is a need to provide continuing contact, during confinement, between the prisoners and a representative from the parent command.
2. Purpose. Prisoners who will return to their parent command continue to be the responsibility of that command. Command visits are designed to retain identity with the parent command and to reinforce to prisoners that this remains their primary chain of command.

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3. Procedures. COs shall establish procedures for visiting at least weekly each detainee and each prisoner who will return to the parent command. This visit shall be made by a representative of the parent command (staff non-commissioned officer, first class petty officer or E-6 or higher with the authority to act in the CO's behalf). When the offender's command is on extended deployment, the Immediate Superior In Command (ISIC) shall provide command visits. It is improper to delegate command visit functions unless the confining command is at sea, or is a remotely situated activity. For remotely situated commands (i.e., over a 200 mile radius), Echelon 2 commanders, shall designate command visit intervals, but shall insure at least weekly telephone interviews with confined command members or their correctional counselors. Chaplains will not serve as the CO's representative to visit prisoners. Chaplain's role in the rehabilitative process, including the visiting of prisoners, has a value distinct from that of being command representative. Documentation of each command visit shall be made a part of the prisoner's permanent record.

4. Notification. Command visits require prior coordination with the confinement facility. For prisoners who may return to duty, if the parent command provides a trained escort(s), certified by the confinement facility, prisoners may be returned to their command for these visits.

SECTION 3. RELEASE

7301. TEMPORARY ABSENCE (TA)

1. Authorization. TA of prisoners from confinement facilities for investigations, trial, work, and other proper purposes is authorized under custodial procedures when approved by the BRIG O. Neither a prisoner release order nor a confinement order is required for TA. DD 2708, Receipt for Inmate or Detained Person, is required when a member from another command takes or accepts the prisoner outside the security perimeter for any reason. When the TA is for purposes of trial, and the trial has concluded during such TA, a report of results of trial, signed by the trial counsel of the special or general court-martial, or the summary court-martial officer before which trial was held, shall be required by the confinement facility upon subsequent return of the prisoner.

2. Procedures. To ease administrative procedures, limit TA's to normal working hours. Time of return of the prisoner to the confinement facility shall not extend past normal recall for work parties. If, however, it is necessary to detain the prisoner outside the confinement facility past that time, the prisoner's escort shall call the confinement facility's control center no later than 15 minutes prior to recall and request an extension, citing the reason(s) for delay. Overnight absences are necessary in some outlying areas and are acceptable, providing the BRIG O has been notified beforehand and a completed DD 2708 noting the overnight authorization is on file at the control center. When a prisoner is absent overnight, the BRIG O shall determine if a physical reexamination is required. If 24 hours has not elapsed, the confinement facility is responsible for escorting or providing the support required to obtain the examination.

3. Investigative Services. Prisoners shall not be placed on TA to perform investigative services for a military or Federal law enforcement agency unless authorized by a second echelon commander.

7302. HOSPITALIZATION

1. Procedures. In those cases involving emergencies, specialized treatment or evaluation, or psychiatric treatment which cannot be deferred and require hospitalization the following procedures shall apply:

a. A DD 2708 shall be used and indicate the prisoner's custody grade, offense, and whether the prisoners are considered a threat to themselves or to others. Confinement facility shall provide any additional information that will assist the hospital in the treatment and supervision of the prisoner. A copy of the DD 2708 shall be provided to the hospital. In emergencies, a staff member from the confinement facility shall remain with the prisoner until the DD 2708 is prepared.

b. Prisoners undergoing psychiatric treatment shall be retained in the psychiatric ward until treatment is completed. Prisoners capable of being released outside of the ward shall be returned to the confinement facility directly from the psychiatric ward. Brig medical officer or clinical services

director shall be consulted and a medical care plan established prior to the prisoner's return.

c. MDI/O, MIN, or IC prisoners in need of hospitalization shall be turned over to hospital security personnel for admission. Hospital will place the prisoner in a restricted ward or within view of the central station, and the prisoner's movements off the ward will be closely controlled. All of the prisoner's clothing shall be secured and a special colored hospital gown issued to the prisoner. Prisoner shall muster at least four times daily with the hospital security personnel and will be continuously visible to the central station between taps and reveille.

d. Confinement facility shall, at a minimum, provide a 24-hour watch of hospitalized MAX custody prisoners.

e. As soon as prisoners no longer require hospitalization, they shall be returned to the confinement facility for completion of confinement, utilizing DD 2709. Prisoners shall not be placed in medical holding companies or on convalescent leave. Prisoners who remain hospitalized upon completion of confinement shall be transferred to the hospital on the scheduled release date ("Temporary Duty (TEM DU) for Treatment" for Navy prisoners).

2. Status. Hospitalization while confined counts day-for-day as time in confinement.

7303. EMERGENCY LEAVE

1. Authority. Emergency leave may be granted to prisoners per reference (i) (Marine Corps) and reference (o) (Navy).

a. In the case of naval personnel confined in pretrial status, emergency leave will be approved or disapproved by the servicemember's parent command.

b. In the case of Navy personnel confined in a post-trial status, emergency leave will be approved or disapproved by the CO/OIC; Marine Corps prisoners require convening authority approval.

2. Procedures

a. Travel and incidental costs of prisoners shall be at no expense to the government. Use of space available government air transportation is authorized. Navy prisoners on emergency leave may travel without escort, but, if required, escort's travel expense and other necessary incidentals must be borne by the government. Escorts for Marine Corps prisoners going on emergency leave will be provided by CMC (PSL Corrections).

b. Periods of emergency leave shall be considered as time served in confinement, unless deferred, and leave will be charged against the prisoner's leave balance, if any, for the period of absence.

c. The visit shall be short in duration, ordinarily 24 hours plus necessary travel time. This period may be lengthened at the discretion of the approving authority.

d. Prisoners must be carefully briefed on the conduct expected of them while traveling and while at their destination. Written agreements are permissible.

e. Prisoners on emergency leave will be carried on the out-count of the facility.

f. Address and telephone information for prisoners on emergency leave will be verified through the American Red Cross Chapter requesting emergency leave. A point of contact for the confinement facility shall monitor the prisoner, as deemed necessary, while on emergency leave.

g. Where necessary, prisoners on emergency leave may be temporarily confined in civilian confinement facilities, per article 7104.4b of this manual, if military confinement facilities are not available.

7304. RELEASE FROM CONFINEMENT

1. Authority. Any commander of a prisoner, an officer appointed under regulations of the Secretary concerned to conduct the review under reference (c), R.C.M. 305 or, once charges have been referred, a military judge detailed to the court-martial to which the charges against the accused have been

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referred, may direct release from pretrial confinement. For purposes of the subsection, "any commander" includes the immediate or higher commander of the prisoner and the commander of the installation on which the confinement facility is located. COs/OICs, or their designee (written), shall authorize final release of the prisoner under the following conditions:

a. Upon expiration of the term of confinement, adjusted to reflect clemency or other action, and further reduced by good conduct time earned.

b. Upon direction of proper appellate authority.

2. Release Order. A DD 2718, Inmate's Release Order, shall be prepared to effect every final release from confinement. It shall show the prisoner's name, social security number, branch of service, organization, specific reason for release, and signature of authorizing official and be marked "For Official Use Only". Upon release from confinement, acknowledgement of receipt of prisoner by command representatives will be obtained on DD 2718. A copy shall be retained by the facility.

3. Procedures. Release preparation begins with the prisoner's admission and continues until the individual's return to duty or discharge. Prisoner must be afforded intensive assistance in preparation for release during the later phase of confinement; however, pre-release program personnel must be involved from the beginning in reviewing and planning release needs, e.g., residence, job, treatment, preparation for transfer, etc. Following guidelines are to be followed:

a. Last phase of confinement is essentially administrative; however, pre-release orientation shall be included. Pre-release phase shall include presentations on what to expect on return to duty or upon return to civilian life, and which agencies can be of aid to the individual in either case.

b. Where sufficient numbers of prisoners are released each week, scheduled release orientations shall be established. Adequate pre-release processing normally requires 1 or 2 workdays for short-term prisoners, a week for longer term prisoners.

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c. Logistical release planning must begin soon enough to allow for completion of all details, and prepare prisoners for their release date. It includes matters such as cleaning and pressing, or laundering of uniforms. If the prisoner is to return to civilian life upon release, appropriate civilian outer clothing shall be provided, if needed. See article 8213.6 of this manual.

d. Leave pending completion of appellate review may be required for certain personnel whose sentences include an unsuspended punitive discharge. Procedures are set forth in article 1050.310-340 of reference (c), SUPERSINST 1900.8B (Navy); and reference (i) (Marine Corps).

e. Payment of a discharge gratuity and furnishing of civilian clothing to personnel being discharged shall be per article 1910.228 of reference (c) (Navy) or MCO P1900.16F (Marine Corps).

f. Prisoners sentenced to confinement of 30 days or less (temporary additional duty (TEMADD)) shall be immediately returned to their parent command upon release.

g. Navy prisoners sentenced to 31 days (TEMDD) confinement or more shall be transferred to the TPU or command operating the confinement facility on a "confinement and further disposition basis". (See article 1640.070 of reference (c)). If the sentence does not include an unsuspended punitive discharge, or if the member is not facing mandatory processing for administrative separation, then the CO shall make such personnel available to NAVPERSCOM (PERS-4) by message at least 3 weeks prior to the normal release date. Follow-up procedures shall be established by the confinement facility to ensure orders are available at the time of the individual's release, and the member shall proceed directly from the confinement facility to assigned duty station.

h. Confinement facilities shall ensure appropriate Victim/Witness Assistance Program notifications are accomplished, per article 9307 of this manual and reference (p) upon release.

i. DD 2791-1, Prisoner's Acknowledgment of Sex Offender Registration Requirements, and DD 2791, Notice of Release of

Military Offender Convicted of Sex Offense, are completed as required upon release.

4. Return of Personal Effects. When released from confinement, and upon receipt of personal effects, prisoners shall sign the statement, "I acknowledge the return of all my personal effects" at the bottom of NAVPERS 1640/17, the inventory form (or locally produced form). The custodian shall then write or stamp, "Account closed on (date)" on the form.

5. Release Dates

a. Release date is the date confinement is completed, and is determined by reducing the full term of all sentences to confinement by proper credits and adjustments as described in chapter 9. Prisoners, except those serving the punishment of B&W or DIMRATS, shall be released during normal work hours.

b. To facilitate administration, a prisoner whose release date falls on a Saturday, Sunday, or national holiday shall have all necessary administrative procedures completed at least by the workday immediately preceding such days; however, the release will be effected on the actual date of completion of confinement. When a prisoner is to be released on a weekend or a holiday, the prisoner's command is to be notified during the week prior to the prisoner's release.

c. Any prisoner serving a sentence to B&W or DIMRATS shall serve the entire portion imposed unless it is remitted or suspended. These prisoners will be released on Saturdays, Sundays, and holidays, as applicable, and shall be released to a command representative on the normal release date.

d. No prisoner shall be held in confinement beyond the normal release date.

e. Prisoners may be temporarily retained in a prisoner status beyond their minimum release date (MRD) provided the prisoner has GCT or abatement to forfeit and the prisoners agree in writing to remain voluntarily in confinement for the period desired. Such action will be taken only in rare cases.

SECTION 4. TRANSFER AND TRANSPORTATION OF PRISONERS

7401. TRANSFER REGULATIONS

1. Authorization

a. Transfer of detainees between confinement facilities is not authorized except when transient individuals are being held for further transfer back to or near their parent command or the command to which assigned for disciplinary action. Exceptions to this rule are if an individual's life or safety is seriously threatened or if the court-martial is to be held in a different location from where the detainee is presently confined and there is a confinement facility closer to this locale than the present place of confinement. Request for a transfer to accommodate a court-martial must originate with the parent command of the detainee and the parent command must bear the cost of all expenses, including escort expenses, involved in effecting the transfer. Intra-claimancy transfers require approval of NAVPERSCOM (PERS-69).

b. Transfers will not ordinarily be made when legal or administrative action is pending against a prisoner.

c. Transfer of a prisoner to the initial confinement facility constitutes authority for transfer and issuance of TEMADD orders to escorts.

2. Expenses

a. Accounting Data for Escorts. Funding for Navy escorts shall be per reference (c) and article 075183 of reference (m). Navy escort costs are the responsibility of the activity transferring the prisoner. Funding for Marine Corps escorts shall be per reference (i).

b. Accounting Data for Prisoners. Accounting data for permanent change of station orders for travel of adjudged or sentenced prisoners will be taken from BUPERSINST 7040.6 and per reference (c) for Navy prisoners and reference (i) for Marine Corps prisoners.

3. Confinement Enroute for Further Transfer. Returned absentees, deserters, and courts-martial prisoners received in

transit for further transfer to another confinement facility shall not be joined to the rolls of the command at intermediate stops. A prisoner treatment file need not be prepared for transient prisoners. Transient prisoners who are improperly clothed and will be exposed to public view in the course of their transportation shall be clothed per service regulations.

7402. COORDINATION WITH RECEIVING COMMAND. Transportation of prisoners between naval confinement facilities shall be closely coordinated to effect safe transfer. Transfer of prisoners must be accomplished in the most inconspicuous manner possible.

1. Authority

a. Transfer of Navy prisoners will be per instructions provided by NAVPERSCOM (PERS-68).

b. Transfer of Marine Corps prisoners will be coordinated by CMC (PSL Corrections).

2. Procedures

a. Transportation will be arranged to avoid arrival at the destination outside normal work hours, except in unusual circumstances. Advance notice shall be furnished to the receiving command to arrange for efficient reception processing of prisoners and for any logistical support required by the escorts. Transfer details shall be confirmed at least 24 hours prior to shipment.

b. Unless the receiving confinement facility non-concurs, prisoner turnovers are made at the receiving confinement facility. Senior escort shall, and other escorts may, as required, remain with the prisoners until they are received for by the receiving confinement facility.

c. Transferring confinement facility shall utilize DD 2708, Receipt for Inmate or Detained Person. An original DD 2708 and two copies will be prepared. One copy is retained by the transferring confinement facility, and the original and one copy accompany the shipment. A signed receipt is retained by the transferring confinement facility, and the second signed copy is returned to the receiving confinement facility. Original copy of prisoners confinement orders shall accompany their record.

There is no necessity for a new physical examination unless the receiving confinement facility has reason for cause. If the receiving confinement facility desires a new physical, it shall be that confinement facility's responsibility to obtain the physical, provide the escorts, and originate the paperwork necessary to obtain the physical.

d. Transferring confinement facility shall make a copy of the prisoner file to assist in inquiries received after transfer or in case the prisoner file is lost or destroyed in transit. Original prisoner file, to include treatment file, shall accompany the escorts for delivery to the receiving confinement facility.

7403. TRANSFER FROM PARENT COMMAND

1. Navy prisoners whose adjudged sentence to confinement is 30 days or less (TEMADD) without a punitive discharge will be returned to their parent command upon completion of confinement.
2. Navy prisoners whose adjudged sentence to confinement is 31 days or more (TEM DU) confinement shall be transferred to the command operating the confinement facility on a "confinement and further disposition basis." NAVPERSCOM will normally return such prisoners to their original command, unless the member's command requests otherwise or the member has a punitive discharge.
3. Marine Corps personnel serving a sentence are normally returned to their parent command upon release. Reference (i) provides further guidance for the transfer of Marine Corps prisoners.

7404. MEANS OF TRAVEL

1. Government Air. Maximum use shall be made of spaces available on military aircraft including Air Mobility Command (AMC), administrative, proficiency and reserve training flights. Where available, transportation provided by U.S. Marshals Service will be coordinated by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Military air and vehicular transportation of MAX custody personnel is preferable to commercial air transportation.

a. General Provisions

(1) MAX custody prisoners may not be mixed with MDI/O or MIN custody prisoners.

(2) Passenger service officer will be furnished a manifest listing at least 24 hours prior to movement. This list will contain the name, grade, and social security number of all prisoners and escorts and marked For Official Use Only. If there exists other data that might affect the security of the movement, it will be made known to the passenger service officer at this time.

(3) All prisoners will be briefed by senior escort on proper procedures and conduct aboard AMC aircraft.

(4) Prisoners in a patient status will normally be transferred by aero-medical evacuation, per OPNAVINST 4630.9C, and MCO P4630.9A. Two escorts will normally accompany each MAX custody prisoner patient while in the aero-medical evacuation system.

(a) Aero-medical evacuation control center, in consultation with the originating physician, will determine the implementation of other policies in this manual affecting the movement of a prisoner in a patient status; however, such determinations will be consistent with security and good order. Medical crew director is responsible for supervising the control of confined patients aboard aero-medical aircraft.

(b) Prisoners determined to be psychotic will normally be moved in a patient status. If aero-medical evacuation is not available, psychotic prisoners may be moved as a MAX custody shipment, and if deemed necessary, with four escorts assigned to each prisoner.

(c) Prisoners under medication shall have their medication prescribed by qualified medical personnel before transfer. Medication with written directions as to time and quantity of dosage (sufficient for the length of time enroute plus 24 hours after arrival at destination) shall be given to the prisoner escort. Escort shall supply prisoner with medication per medical directions. Excess medication will be

delivered to the command receiving the prisoner and so receipted.

(5) Before embarkation, all escorted prisoners will be thoroughly inspected and relieved of articles considered hazardous to the safety of themselves, to others, and to the aircraft. Senior escort will retain custody of those articles which, although contraband, are not considered hazardous to the aircraft. Prisoners' baggage will also be inspected thoroughly prior to loading on the aircraft.

(6) Area approaching the flight deck or crew compartment will be declared off limits to prisoners. If configuration of the aircraft permits, a separate head shall be designated for use by prisoners. Prisoners will remain in their seats at all times except as may be necessary to use the head. No more than one prisoner will be allowed to move to the head at any time.

(7) Escort personnel will be thoroughly briefed on their responsibilities and procedures and a seating plan developed to ensure maximum surveillance of prisoners and security.

(a) Escorts of MAX custody prisoners may retain their weapons and ammunition when authorized by competent authority and approved by the aircraft commander. Otherwise escort personnel will be unarmed at all times. Their weapons and ammunition will be stored in a locked container not accessible to the prisoners.

(b) Each prisoner escort will be equipped with one set of handcuffs. Normally, handcuffs will be removed while the aircraft is in flight; however, unruly or dangerous prisoners may be restrained with handcuffs while in flight. Prisoners will not be handcuffed to any portion of the aircraft.

b. MAX Custody Requirements

(1) Two escorts will be furnished for each prisoner.

(2) In cases where more than one MAX custody prisoner is being moved to the same destination, and trained Army/Marine Corps Military Police, AF Security Police, Navy Master-at-Arms rates, or corrections personnel are used as escorts, this requirement may be reduced to one escort per

prisoner plus one escort in charge. Following additional requirements apply:

(a) One chief petty officer (CPO), senior non-commissioned officer (SNCO), or above, in charge for five to nine prisoners plus one additional escort.

(b) One officer or one CPO/SNCO in charge per 10 or more prisoners plus one additional escort.

(3) No more than two MAX custody prisoners are moved on a single flight.

(4) MAX custody prisoners will be escorted at all times by two escorts when it is necessary for them to leave their seats.

(5) At a minimum, each prisoner will be handcuffed during flight operations. Additional restraints (e.g., leg, waist/hand irons) may be used based on the assessment of the prisoner's escape risk or danger to themselves or others.

(6) Removal of restraints is permitted only when the escort determines such action is not detrimental to the safety and security of the aircraft and its passengers. Handcuffs are removed only long enough to use the head facilities, eat a meal, or complete other actions deemed necessary by the escort(s).

c. MDI/O Custody Requirements

(1) One escort per two prisoners.

(2) When trained Army/Marine Corps Military Police, AF Security Police, Navy Master-at-Arms rates, or corrections personnel are used as escorts, this requirement may be reduced to one escort per four prisoners plus one escort in charge. Following additional requirements apply:

(a) One E-6, or above, in charge per five to 14 prisoners, plus one additional escort.

(b) One officer or one CPO/SNCO in charge for 15 or more prisoners plus one additional escort.

(1) One escort per five prisoners plus one escort in charge.

(2) One E-6, or above, in charge shall be provided per 10 or more prisoners plus one additional escort.

(3) MIN custody prisoners do not require escort while moving about the aircraft; however, they will be monitored at all times.

(4) MIN custody prisoners need not be restrained.

2. Commercial Air. Chartered commercial air shall be used to transport groups of prisoners whenever possible. Groups of more than eight prisoners will not be transported on regularly scheduled flights. Federal and State laws, airline regulations and instructions issued by DOD and Department of Transportation (DOT), must be adhered to in relation to the use of armed guards, carrying of weapons, number of escorts required, etc., on commercial aircraft.

a. General Provisions

(1) At least 24 hours prior to boarding prisoners on commercial aircraft, the person in charge will coordinate, with a responsible representative of the air carrier, i.e., duty supervisor in charge of passenger service, the pending transfer of prisoners and plans for complying with specific air carrier requirements. Air carrier will be notified of the identity of the escorted person(s) and the flight on which the prisoner(s) will be carried.

(2) Commercial transportation shall not be used in those cases where the CO has determined that a prisoner is a threat to safety of others or that the escape risk is such that the arming

of the escort and the use of restraining devices are necessary to assure delivery.

(3) Senior escort will assure air carrier the escorted prisoner has been inspected, and the escort has adequate restraining devices that can be used in the event the escorted prisoner needs to be restrained during flight.

(4) Escorts will request seating for the prisoners and themselves in the rearmost passenger seats that are not located in a lounge area or next to or directly across from any aircraft exit. At least one escort will be seated between the prisoner and the aisle.

(5) Escort personnel shall be thoroughly briefed on their responsibilities, procedures, and the seating plan to ensure maximum surveillance and control of prisoners.

(6) Prisoners will remain in their seats at all times except to use the head facilities. No more than one prisoner will be allowed to move to the head at any one time. They will be escorted and kept under surveillance during trips to the head.

(7) Escorts will inspect and authorize food, beverages, and eating utensils provided by the airlines to escorted prisoners.

(8) Neither the escort nor the prisoner will drink intoxicating beverages.

(9) Escorts and prisoner(s) will request to board before all other passengers and will deplane after the terminating passengers leave the aircraft.

b. Specific Provisions

(1) Each prisoner considered dangerous, or in a MAX custody status, will be escorted by two or more escorts and adequately restrained throughout the flight. No more than one dangerous or maximum custody prisoner shall be transported on the same scheduled commercial aircraft.

(2) MDI/O custody will require one escort per prisoner plus one escort in charge unless an exception is granted in writing by the CO. No more than five MDI/O custody prisoners will be transported on the same commercial aircraft.

(3) No more than eight prisoners (total) will be transported on the same commercial aircraft.

3. Rail and Bus. Use of rail or bus is authorized; however, these are not considered as desirable as air transportation because of the distances, time involved, need for additional escorts, the undesirability of exposing the prisoner to public view, and security risk involved at each stop. If the size of the draft warrant, a chartered bus has many advantages. Chartered buses shall be equipped with a toilet to eliminate comfort stops with resulting display of prisoners to public view and the inherent security risk involved. Box lunches are recommended to eliminate stops for meals.

4. Government Vehicle. A government-owned bus or other vehicle shall be used for short trips. A frequently-used bus or vehicle shall be equipped with security screens for protection of escorts and driver. Buses shall be equipped with a portable type toilet to eliminate comfort stops.

5. Prisoners from Overseas. Prisoners from overseas shall be transported by naval vessel or military aircraft, if space is available, under the same escort requirements cited in article 7404.1 of this manual. Qualified and trained escorts shall be assigned prisoners being returned to CONUS. Prisoners shall be delivered to the command located at or near the port of entry that operates a naval confinement facility as a part of their assigned tasks.

7405. ESCORTS

1. Requirements. Prisoner transfers will be performed only by personnel who have had specialized training and experience in escort duty. Escorts have specific responsibilities for the secure custody and safe delivery of prisoners. Clear and detailed written instructions shall be provided escorts to ensure proper delivery. Escorts shall be carefully selected for maturity and ability to handle emergencies. They shall be thoroughly indoctrinated prior to assignment. Commands with

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frequent prisoner movements shall provide a pool of escorts and formalize their training and each trip shall include at least one escort who has been over the same route by the same transportation. When transporting maximum security or serious behavior problem prisoners, BRIG O shall recommend a member of the staff who knows the prisoners be included in the group of escorts. In all cases at least one escort will be of the same gender as the prisoner. Medical personnel shall be included as an escort in transporting a prisoner who is envisioned as needing medical care. When transporting an officer prisoner at least one escort will be an officer of equal or higher rank than the officer prisoner, or as directed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

2. Outside Appointment Escorts. Escorts are required to escort prisoners to outside appointments and will be provided either as part of the confinement facility staff or by the activity requesting prisoners for trial or administrative and legal appointments. Requesting activity shall provide their own escorts, properly trained and qualified per article 7406 of this manual. Prisoner escorts will not be required to carry nightsticks or other weapons.

3. Cross-country Escorts. Confinement facility personnel (in Navy facilities) shall not be used to pick up or deliver stragglers, absentees, or deserters. For Marine Corps, these duties are normally performed by Marine Corps Corrections Specialists assigned to the Marine Corps Absentee Collection Center.

4. Armed Escorts. Arming of escorts and use of instruments of restraint in the transfer of prisoners shall be avoided except in case of MAX custody prisoners whose escape has been determined as posing a threat to life, personal injury, or destruction of property. With specific approval of the CO, prisoners may be placed in restraint and under armed escort when it has been determined the following procedures, in order of precedence, will not suffice:

a. Assignment of additional escorts within feasible limits. Prisoners not under restraint and escorts unarmed.

b. Utilizing restraining devices appropriate to the circumstances. Escorts will be unarmed.

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c. Under no circumstances will escorts be armed unless restraining devices are being used and proper authority decides armed escorts are needed. When firearms are carried they must be kept in a safe and secure place or on the person of an escort. Firearms must not be carried by an escort within a car, bus, aircraft, or train unless positive precautions have been taken to ensure avoidance of contact between prisoner and escort (unless otherwise directed by the Transportation Security Administration (TSA) directives). Escorts aboard regularly scheduled airlines will be armed only for high-risk prisoners and must comply with Federal Aviation Administration (FAA), military and airline regulations.

5. Ratio. Guard/prisoner ratio shall be determined by the transferring command. Ratio shall be based on the custody classification of the prisoner being transferred and type of transportation to be used, according to the preceding guidelines.

6. Restraint. Under no circumstances shall a prisoner be restrained by being secured to any portion of any type of transport.

7. Security Procedures. Escorts are responsible for security enroute to the destination. Prisoners shall be inspected by the escorts prior to departure to ensure they have no contraband items. Items prisoners must not have in their possession are identification cards, money, sharp instruments, tools, keys, etc. Supervision must be continuous during transportation to prevent the prisoner from obtaining contraband items that may aid in taking hostages or hijacking the vehicle used. Senior escort shall be present when prisoners are dressed out. No part of the body where contraband might be concealed is to be overlooked. Hair, mouth, between the fingers and toes, soles of the feet, as well as all bandages, dentures, custom-built shoes, canes, crutches, artificial arms and legs, etc., will be thoroughly inspected. When the inspection is completed, an entirely different outfit of inspected clothing shall be furnished. Great care must be taken to ensure the prisoners do not acquire any unauthorized items after the inspection has been completed.

8. Illness Enroute. In the event a prisoner becomes ill enroute with no medical assistance available, arrangements shall

be made for examination by a qualified medical officer as soon as possible. If the prisoners are unable to continue the trip, they shall be taken in order of preference to the nearest military hospital, Federal hospital, or civilian hospital and a receipt obtained for the prisoner. Escort shall immediately contact the command, from which the prisoner is being transferred, for further instructions.

9. Loss of Prisoner in Transit

a. Death. If a prisoner shall die in transit, notify the driver, conductor, or pilot immediately. Coroner, Federal Bureau of Investigation (FBI), nearest available law enforcement agency, and naval authorities shall be notified as soon as possible. Notify NAVPERSCOM (PERS-68) regarding the death of a Sailor and CMC (PSL Corrections) regarding the death of a Marine.

b. Escape. If a prisoner escapes while being transferred, the senior escort will exhaust resources immediately available in apprehending the prisoner, then take immediate action to contact the nearest law enforcement agency. Under no circumstances shall supervision of other prisoners be relaxed in order to pursue an escaping prisoner.

10. Trip Report. A written report shall be submitted by the senior escort at the conclusion of the trip if anything unusual occurred during the trip. This report shall be submitted to the CO/OIC of the confinement facility.

7406. ESCORT TRAINING. Escorts from the confinement facility staff shall receive the same training as all other staff members. Escorts furnished by other commands shall be trained and certified as qualified by the brig training supervisor prior to assumption of duties. A specialized training course consisting of not less than 1 nor more than 2 days, which includes a proficiency test, shall be successfully completed prior to certification as a qualified escort. All personnel assigned to escort duties shall be thoroughly trained in the safety and proper use of restraining devices in the performance of escort functions. A NAVPERS 1640/18, Prisoner Escort Identification Card (or locally produced form), shall be issued upon completion of training. Annual re-certification is

required and certification may be revoked at the CO/OIC/CPOIC's discretion.

7407. TRANSFER OF LONG-TERM PRISONERS

1. Transfer to a Military Level III Confinement Facility

a. Consolidation of Corrections Within DOD. Secretary of the Army has been designated as Executive Agent for incarceration of DOD military Level III prisoners. In most cases, U.S. Disciplinary Barracks (USDB), Fort Leavenworth, KS, will be the designated place of confinement for those Level III male prisoners who will remain under military control; NAVCONBRIG Miramar is designated as DOD Level III place of confinement for female prisoners.

b. Criteria. Criteria concerning transfer of Level III prisoners will be issued by DOD Directives and policy issued by NAVPERSCOM (PERS-68) and CMC (PSL Corrections). Requests for transfer of a prisoner from a confinement facility to Level III confinement will be forwarded to NAVPERSCOM (PERS-68) and CMC (PSL Corrections), as appropriate, for coordination.

2. Transfer to the Federal Bureau of Prisons (FBOP). Transfer of prisoners to the FBOP will be on a case-by-case basis. (Note: National Security Prisoners shall be maintained in military confinement facilities unless, in a given case, SECNAV specifically approves a transfer to the FBOP). In the event special circumstances dictate a need for a special request, the following criteria apply:

a. Criteria. Secretary of the Army (DAMO-ODL), as Executive Agent for Level III corrections, will coordinate all transfers of military prisoners to the FBOP.

b. Procedures. Requests for transfer of a prisoner from a confinement facility to the FBOP will be forwarded to NAVPERSCOM (PERS-68) and CMC (PSL Corrections), as appropriate, for coordination.

c. Records. Transfer of records will be directed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

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d. Personal Property. Personal property will not accompany prisoners while they are being transferred to the FBOP. Personal property is limited to essential items only and will be mailed directly to the designated institution. These items shall fit into a cardboard box no larger than 15"x12"x10". All other personal property is to be shipped home by the prisoner.

3. Psychiatric Transfer to FBOP

a. Criteria. Certain prisoners requiring long-term psychiatric treatment may be transferred to a Federal psychiatric treatment facility.

b. Preliminary Determination for Transfer. If the CO/OIC of a confinement facility determines a post-trial prisoner suffering from a mental disease or defect requires inpatient psychiatric care or treatment beyond what is available at the facility or from the local medical command, the CO/OIC will notify the prisoners in writing of their intention to seek transfer of the prisoners to the custody of the Attorney General for care and treatment in a suitable facility. NAVPERSCOM (PERS-68) or CMC (PSL Corrections) will be immediately notified.

c. Action on Preliminary Determination

(1) Once a prisoner is provided the notice prescribed in article 7407.3b of this manual, the CO/OIC of the confinement facility shall request the area General Court-Martial Convening Authority (GCMA) convene a hearing to determine whether the prisoner shall be transferred to the custody of the Attorney General for care and treatment in a suitable facility. Request will state the factual basis for the CO/OIC's determination that the prisoner requires care or treatment beyond that available at the confinement facility or local medical command and will include all relevant documentation (e.g., sanity board results, psychiatric evaluations, medical treatment files, correctional treatment records, etc.) which provide the basis for the determination.

(2) GCMA may:

(a) Disapprove the request for good cause.

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(b) Approve the request and convene a hearing to determine whether the prisoner suffers from a mental disease or defect that requires inpatient psychiatric care or treatment beyond that available locally.

(3) Convening authority's letter will be forwarded to the local NLSO and Trial Service Office (TSO)/Base Judge Advocate/Circuit Military Judge and will state:

(a) Presiding official will be an officer designated, certified, and sworn as a military judge authorized to try general courts-martial.

(b) Prisoner will be represented by a judge advocate qualified, certified, and sworn to serve as trial or defense counsel at general courts-martial.

(c) Interests of the Government will be represented by a judge advocate designated by the TSO/Base Judge Advocate.

(4) Circuit military judge will detail a military judge for the hearing. Upon detail, the military judge will schedule a hearing date, affording reasonable notice to counsel and the prisoner.

(5) Local NLSO/Base Judge Advocate will detail counsel for the prisoner.

(6) Local TSO/Base Judge Advocate will detail:

(a) Government counsel (if required).

(b) Court reporter.

d. Hearing Procedures

(1) Prisoners will be afforded the following rights in connection with the hearing:

(a) Timely written notice of the hearing and of their procedural rights.

(b) A personal hearing before an impartial decision maker.

(c) Opportunity to present testimony and documentary evidence.

(d) Opportunity to confront and cross-examine Government witnesses.

(e) Written findings.

(2) At the hearing, the military judge will advise the prisoners or their personal representative or attorney, if the prisoners are unable to make a knowing and intelligent acknowledgment of their rights, that:

(a) Purpose of the proceeding is to determine whether the prisoners suffers from a mental disease or defect that requires inpatient psychiatric care or treatment beyond that available at the confinement facility.

(b) If the Government establishes by the preponderance of the evidence that the prisoners suffers from such a mental disease or defect, the prisoners may be transferred to the custody of the Attorney General for care and treatment in a suitable facility.

(c) Prisoners have the procedural rights enumerated in paragraph 3d(1)(a) through (e) above.

(3) Both the Government and the prisoners will then be afforded the opportunity to present evidence regarding the present mental condition of the prisoners and the necessity, or lack thereof, for transfer to the custody of the Attorney General for care and treatment. This is an administrative proceeding to which the Military Rules of Evidence do not (other than Military Rules of Evidence 301-303 and 501-507) apply. Evidence will be admissible subject to the guidance and limitations applicable to the conduct of formal investigations per JAGINST 5830.1.

(4) Hearing officers, within their discretion, may direct further examination of the prisoners by a different psychiatrist or clinical psychologist.

(5) Hearing officer will determine whether, by a preponderance of the evidence, the prisoner suffers from a

mental disease or defect for which inpatient care and treatment is required beyond that available at the confinement facility. Hearing officer will make specific written findings, to include a brief statement of the factual basis relied upon for each finding, and will make a recommendation as to whether the prisoner shall be transferred to the custody of the Attorney General for suitable care and treatment.

(6) A verbatim transcript of the hearing will be prepared. All exhibits offered in evidence will be attached to the hearing record in the manner normally employed in trial by court-martial.

e. Action upon the Record. GCMA will review the hearing record and approve or disapprove the findings and recommendations of the military judge. If transfer is disapproved, the hearing record and action will be transmitted to the confinement facility CO/OIC for retention in the prisoner's brig file. If transfer is approved, the hearing record will be forwarded to the Attorney General as coordinated by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

f. Transport of the prisoner to the FBOP will be coordinated between the FBOP and NAVPERSCOM (PERS-68) or CMC (PSL Corrections), as appropriate.

7408. TRANSFER OF PRISONER RECORDS, FUNDS AND VALUABLES, AND PERSONAL PROPERTY

1. Records

a. Documents required for transfer are contained in article 7402.2d of this manual. In addition, the most recent progress report and a copy of the transfer order will be forwarded to the respective service clemency and parole board. Transferring confinement facility shall make a copy of the prisoner file to assist in inquiries received after transfer or in case the prisoner file is lost or destroyed in transit. Original prisoner file, to include treatment file, and health and dental records, shall accompany the escorts for delivery to the receiving confinement facility.

b. Victim Witness Assistance Program (VWAP) record, as required per reference (p), and MCO P5300.16A, shall be combined

with the brig records above; however, the VMAP record shall be placed in a sealed envelope with the notation "Not Releasable Without Permission of NAVPERSCOM (PERS-68) or CMC (PSL Corrections)." CO/OIC receiving record will ensure proper safeguard and delivery of VMAP records to the appointed VMAP Coordinator.

2. Procedures. Prisoner records required by above article shall be collected by the confinement facility and delivered to the senior escort prior to departure. Place all records in an appropriately sealed envelope marked "For Official Use Only". Print the prisoners name, social security number, point of departure, and destination on the outside of the envelope. Record contents on a NAVPERS 5000/64, Records Transmittal Form, original and three copies. Distribute original to the receiving command, first copy to the senior escort (receipted by the receiving command), second copy to the personnel officer at the point of departure, and the third copy to the confinement facility (receipted by the senior escort). All envelopes shall be placed in a suitable carrying container along with the original and first copy of the NAVPERS 5000/64, for delivery to the senior escort.

3. Funds and Valuables. Funds and Valuables of prisoners being transferred shall be inventoried by the custodian or assistant of the confinement facility, certified by the prisoner's signature, and placed in a separate envelope marked "For Official Use Only" along with a signed copy of the inventory. Signed original of the inventory shall be retained by the confinement facility at the point of departure as a receipt and a copy given to the prisoner concerned. Outside of each envelope shall be identified with name, social security number, point of departure, and destination but shall not indicate the nature or identity of the contents. Receipting process for Funds and Valuables envelopes in transit shall be recorded on the NAVPERS 5000/64 by making a "FV" or "None" entry following the prisoner's name.

4. Personal Property. Personal property of prisoners shall be inventoried on NAVPERS 1640/17, Prisoner Inventory and Receipt Personal Effects and Uniform Clothing (or locally produced form), and packed in a suitable container marked "For Official Use Only" (suitcase, sea bag, duffle bag, or box) and sealed with a copy of the inventory inside and name, social security

number, point of departure, and designated destination clearly marked on an attached shipping tag or other suitable marking which does not deface or damage the container. Receipting for personal property shall be accomplished by memorandum in the same sequence and distribution prescribed for NAVPERS 5000/64 described above.

5. Receipts. Number of both records and funds and valuables envelopes accompanying the draft shall be indicated on the NAVPERS 5000/64. Both the senior escort and the receiving facility representative shall receipt only for the proper number of envelopes. New Funds and Valuables inventories shall be prepared by the designated place of confinement as a part of their receiving process.

CHAPTER 8
ADMINISTRATIVE MATTERS

SECTION 1. RECORDS AND REPORTS

8101. GENERAL

1. Purpose. Records are maintained to provide accurate, current, and readily available information on individual prisoners and on the corrections operation. Reference (n) governs creation, use, maintenance, and disposition of records. Disposition for completing standardized forms and reports must also be followed. Unauthorized destruction of records is subject to criminal penalty.

2. Security. All prisoner files are private and only personnel who have a need to know certain information in the performance of their official duties may have access to a given file or piece of information. This shall in no way impede the flow of information to staff involved in the supervision, training, or evaluation of prisoners. Under no circumstances shall prisoners be assigned to functions where they have access to files or information about other prisoners.

3. Copies. Various functional units within the confinement facility require certain records and reports in order to function properly. Copies of such records and reports may be maintained on an as needed basis at those locations with the original records kept in controlled administration files. Units requiring original copies of prisoner records, i.e., clothing inventory, etc., will ensure all records are sent to the administrative office when a prisoner is released or when the record is no longer required.

8102. PRIVACY

1. Privacy Act. All personnel will be familiar with the provisions of the Privacy Act and Freedom of Information Act Program. SECNAVINST 5720.42E, reference (n), and appendix B refer. A Privacy Act statement is not required for every form or personal/telephone interview but only for those in which the individual is asked to furnish personal information to be included in a system of records. For the purpose of determining whether a Privacy Act statement is required, "personal

information" is defined as information about an individual that is intimate or private to the individual, as distinguished from information related solely to the individual's official function.

2. Request for Information. A Privacy Act statement will be requested before soliciting information for DD 2710, Inmate Background Summary, and FD-249, Arrest and Institution Fingerprint Card. In addition to these, a Privacy Act statement must accompany a request for clemency or waiver of restoration. SECNAVINST 5720.42F, appendix B, and references (n) and (p) provide requirements pertaining to the release of information.

3. Prisoner Files. Prisoner files fall under a general exemption from release per the Privacy Act of 1974, 5 U.S.C. 522a(j)(2). Requests by prisoners or their representatives, e.g., attorney, for any portion of their record, will normally be denied under the (j)(2) provisions of the Privacy Act and then processed under the provisions of the Freedom of Information Act (FOIA).

8103. PRISONER FILES AND RECORDS

1. Prisoner File. Unless specifically authorized by NAVPERSCOM (PERS-68) OR CMC (PSL Corrections) to allow for split records, an individual file shall be maintained for each prisoner in the facility. Documents shall be placed in the file as shown below.

- Section 1. - DD 2707, Confinement Order
- Court-martial Order
- One copy of FD-249, Suspect Fingerprint Card
- DD 2710-1, Prisoner Sentence Computation, or CORMIS electronic equivalent
- Report of Results of Trial
- Charge Sheet
- Pretrial Agreement Data
- Report of Investigation (ROI)
- Court-martial review actions
* - DD 2718, Inmate's Release Order
- DD 2709, Privacy Act Statement

- Section 2. - DD 2710, Inmate Background Summary
- DD 2711, Initial Custody Classification
- DD 2711-1, Custody Reclassification

- DD 2711-2, Custody Initial/Reclassification Summary Addendum
- NAVPERS 1640/15, Mail and Visiting List
- DD 510, Request for Interview
- DD 2715, Clemency/Parole Submission
- DD 2716, Parole Acknowledgement Letter
- DD 2716-1, DOD Certificate of Parole
- DD 2717, DOD Voluntary/Involuntary Appellate Leave Action
- DD 2715-3, Inmate Restoration/Return to Duty, Clemency and Parole Statement
- Letters disapproving visitors/correspondence
- Prisoner refusal to accept mail
- DD 2715-2, Inmate Summary Data
- DD 2719, Continuation Sheet
- DD 2715-1, Disposition Board Recommendation
- Copies of all board recommendations and actions

- Section 3.
- NAVPERS 1640/8, Prisoner Conduct Record (or locally produced form)
 - DD 2714, Inmate Disciplinary Report
 - DD 509, Inspection Record of Prisoner in Segregation
 - DD 2712, Inmate Work and Training Evaluation
 - DD 2713, Inmate Observation Report
 - Incident Report (locally produced)
 - Certification of Fitness for Disciplinary Segregation/Special Diet (locally produced)

- Section 4.
- Miscellaneous
 - DD 504, Request and Receipt for Health and Comfort Supplies (copy)
 - NAVMC 604, Request for Clothing and Equipment
 - * - NAVPERS 1640/17, Valuables and Personal Effects Inventory Receipt
 - DD 2708, Receipt for Inmate or Detained Person
 - Command Visitation Record (locally produced)

*Indicates forms which may not be placed in the prisoner file until release is effected.

2. VWAP File. A VWAP file shall be maintained separately by the appointed VWAP Coordinator on all applicable prisoners, per DODD 1030.1 of 13 April 2004 and reference (p). At a minimum, following documents will be maintained:

- a. DD 2704, Victim/Witness Certification and Election Concerning Inmate Status.
- b. DD 2705, Victim/Witness Notification of Inmate Status
- c. Copies of any correspondence.
- d. Records of certified mail.
- e. Record of telephone contacts.

3. Sexual Offender Registry File. A sexual offender registry file shall be maintained separately by the appointed staff member on all prisoners convicted of covered offenses, as per reference (s). Upon release or transfer, this file becomes a part of the prisoner file. At a minimum, following documents will be maintained:

- a. DD 2791, Notice of Release of Military Offender Convicted of Sex Offense.
- b. DD 2791-1, Prisoner's Acknowledgement of Sex Offender Registration Requirements.
- c. Copies of any correspondence.
- d. Record of telephone contacts.

4. Reactivation. Prisoner files in storage and scheduled for disposal may be reopened when a former prisoner is returned for confinement. All information shall be updated. When determined a prisoner has been previously confined in a naval confinement facility and the location is known, a request may be made to the CO/OIC of that facility for the prisoner file.

8104. LOGS. All logs maintained by the facility shall be bound ledgers with sequentially numbered pages, and maintained in chronological order. Where confinement facilities and CCUs are co-located, consolidated logs are authorized.

1. Brig Log. Brig log is a permanent daily record of the operation of the confinement facility. It is maintained by the control center supervisor on duty and will include, but not be limited to, the following:

- a. Results of prisoner counts.
- b. Confinement and release of prisoners.
- c. Departure and return of prisoner details.
- d. Change of watch.
- e. Emergency drills.
- f. Disorders and actions taken.
- g. Inspections.
- h. Record of official visitors and purpose of visit.
- i. Any unusual occurrences.

2. Medical Log

a. Medical log is a permanent brig record, with entries made in chronological order. Entries shall be made by medical personnel, showing prisoner's name, social security number, date of treatment, nature of complaint, treatment administered and marked "For Official Use Only". It shall be signed by the person administering treatment. Prisoners shall not be given access to this log.

b. All medication issued will be properly documented on a NAVMED 6550/8, Medication Administration Record, per reference (1), or a locally modified version of this form. See appendix B. Maintain a medication file on each prisoner. This form, when filled out contains information which is "For Official Use Only" and shall only be available to staff and the prisoner whose name is on the form. Disposition of the form upon transfer or release shall be per reference (1).

3. Visitors Log. A record of each visit to a prisoner shall be made in the visitors' log. Entry shall show date of visit, time

in and time out, printed name, address, and signature of the visitor (or sponsor), name of person visited, signature or initials of the staff members who admit and release the visitor, and the identity verification source presented (e.g., driver's license, etc.).

a. At a minimum, verification of identity presented shall include visitor's name, photograph, and date of birth. Policy for visitors under the age of 18 shall be published by local policy.

b. When authorized by the CO/OIC/CPOIC, a record may be kept of exchanges of mail and visits using NAVPERS 1640/15, Mail and Visiting List.

4. Privileged Correspondence Log. A record of all outgoing and incoming privileged correspondence will be maintained. This log will show date received/mailed, addresser, addressee and initials of mail supervisor, and signature of prisoner indicating date of receipt. Privileged correspondence shall be delivered unopened and receipted for. Prisoners may have these letters placed in their personal effects at any subsequent time. Inspection of privileged correspondence and the "good cause" for the inspection will be recorded in this log. See article 8301.8.

5. Disciplinary Log. A disciplinary log shall be maintained to record each disciplinary report, to include dismissed reports, and the action taken. Log shall contain entries showing the date of the offense, prisoner's name, social security number, offense(s), name of the person making the report, date of action, punishment imposed and marked "For Official Use Only." Each entry shall be signed by the officer authorized to take action. Disciplinary log shall be submitted weekly to the CO for review and signature.

8105. CONFINEMENT ORDER

1. Policy. DD 2707, Confinement Order, is a basic component of each prisoner record and is the legal authority effecting confinement. Except in emergency where oral confinement is properly directed, no person shall be confined without a written order of confinement, with the offense(s) indicated, and signed by an individual authorized to direct confinement. If the

confinement is initially effected without a written order, the written order shall immediately follow the confinement. Refer to reference (c), R.C.M. 304(d).

2. Procedures

a. No members of a confinement facility staff shall refuse to receive or to keep any prisoner committed to their charge by an officer of the Armed Forces when the committing officer furnishes a statement, signed by them, of the offense(s) charged against the prisoner. A confinement order signed by the duty officer, officer of the day, or other officer designated by the CO may authorize confinement.

b. Order shall clearly identify the individual to be confined and show the offense(s) of which accused or convicted, such as:

"Article 80, Attempted escape from confinement."
"Article 86, U/A 3 June - 26 July 80 (53 days)."
"Article 91, Strike CPO w/fist."
"Article 92, Failed to obey lawful order."
"Article 121, Larceny-\$51 from locker."
"Article 134, Disorder and damage to government property."

c. Confining commands must complete the offense portion of the order, since the offense often dictates security requirements.

d. "Safekeeping" and "protective custody" are not legal reasons for confinement, and no individual shall be accepted for confinement with either of these listed in lieu of a UCMJ charge.

e. When results of a court-martial change the basis for confinement, a report of results of trial signed by the trial counsel shall be prepared, as appropriate, reflecting the change of status. This results of trial shall be delivered to the confinement facility at the time the prisoner is returned to the confinement facility from the court-martial.

f. Except for pretrial confinement, the confinement orders shall show the date confinement is directed, if other than the

date adjudged, and by what authority imposed. If B&W/DIMRATS under non-judicial punishment is imposed and deferred (not to exceed 15 days), it shall show date imposed, date the punishment is to begin, and reason for deferment. If the confinement is imposed as a result of the sentence of courts-martial, confinement order shall be accompanied by a report of results of trial, signed by the trial counsel of the special or general court-martial, or the summary court-martial officer, that adjudged the sentence and will reflect any pretrial agreement reached.

8106. PRISONER IDENTIFICATION BADGE

1. Policy. All prisoners shall wear a prisoner identification badge (locally produced) pinned over the left breast pocket on their outer garment. Only exceptions to this requirement shall be IC custody prisoners when they are outside the confinement facility and segregated prisoners in their cells. No other visual form of identification is permitted except when specifically authorized by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Display of the full SSN is not authorized.

2. Procedures. Four prisoner identification badges, with photograph, will be prepared during initial processing and as otherwise required, as follows:

a. Legal status. Appropriately lettered, in the colors indicated below

- (1) Detainee Black.
- (2) Prisoner Blue.

b. Custody classification. Appropriately lettered, in the colors indicated below.

- (1) Installation Custody Brown
- (2) Minimum Custody Green
- (3) Medium-Out Custody Yellow
- (4) Medium-In Custody - Orange

(5) Maximum Custody or Special Quarters - Red

- c. SSN. If used, abbreviated (last four).
 - d. Photograph. Attach full-face photograph. Prisoner shall not wear a cap or glasses. Grooming standards shall apply, as per article 5202 of this manual. A new photo shall be taken annually.
 - e. Service branch. Prisoner's branch of service shall be depicted on the badge. Discharged prisoners shall reflect discharge status, e.g., BRANCH OF SERVICE/DISCHARGED. Civilian prisoners shall reflect "CIV".
 - f. Name. Last name and initials.
3. Distribution. Four badges will be made during intake. Original shall be issued to the prisoner and worn in the prescribed manner. Second copy shall be maintained in the control center. Third copy shall be maintained by the quarters supervisor. Fourth copy shall be maintained in the prisoner file. Where possible, badges shall be organized to match the berthing configuration.
4. Security. Strict control shall be maintained over the forms and components of the prisoner identification badge to reduce the possibility of unauthorized alteration or fabrication.
- a. When replacement badges are issued, all copies of the old badge shall be destroyed.
 - b. When prisoners are released from confinement, their badges shall be placed in their prisoner record for future reference.
5. Name Change. If a prisoner's name is officially changed per applicable references, the confinement facility shall continue to use a prisoner's committed name until the time the prisoner is legally released from confinement. Exceptions to this policy will be forwarded to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) with supporting justification. Staff will call prisoners by their committed names, and prisoners will be instructed they must answer when called by their committed names. Name tags will bear a prisoner's committed name;

however, an "also known as" (AKA) prisoner file will be established in the administration records office. This AKA file will be cross-referenced with the file bearing the prisoner's committed name. Mail, visitors, and official business will be accepted under either name.

8107. DAILY CHANGE SHEET

1. Policy. Daily change sheet is prepared to indicate the changes to be effected the next day, or prescribed times, and any emergency changes previously effected on the day of preparation.

2. Procedures

a. Any change of quarters, work assignment, custody classification, or other status shall appear on the change sheet.

b. After all entries for the day have been made on the daily change sheet, it must be authenticated and signed by the BRIG O or designee. Copies will be prepared to allow one copy to be distributed to each staff position supervising prisoners, one copy for the control center (signed original), and one copy for file.

c. Each entry on the daily change sheet shall also be reflected on the individual's conduct sheet, reviewed, and initialed by an administrative supervisor or a designated unit supervisor.

d. After all changes listed on the daily change sheet have been effected, the control center supervisor initials that all changes have been effected and recorded, and returns the original copy to the administration office for filing.

8108. COMPUTER PRINTOUTS. Computer-generated records, where used, of security functions (e.g., cell checks) will be reviewed at the end of each 24-hour period. Discrepancies are to be noted and entries in the brig log will provide information on follow-up actions, if needed. Computer printouts shall be stored until the completion of the next annual inspection, after which they may be destroyed.

9109. CORRECTIONS MANAGEMENT INFORMATION SYSTEM (CORMIS).

CORMIS will be utilized in naval confinement facilities (and CCUs when required by NAVPERSCOM (PERS-68) and CMC (PSL Corrections)). CORMIS is designed to increase security capabilities, support operational and administrative functions, and provide current information on prisoners to the confinement facility staff and other users throughout DOD Corrections. CORMIS is coordinated by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Forms generated in CORMIS may be used in place of equivalent DOD forms. Where CORMIS will automatically update corrections files, manual requirements shall be eliminated.

9110. NAVPERS 1640/11, MONTHLY REPORT OF PRISONERS

1. Policy. Monthly report of prisoners will be prepared by all confinement facilities each month, whether or not any prisoners were confined there during the month. Facilities providing this information via CORMIS are exempt from this requirement.

2. Procedures. This report shall be submitted directly to NAVPERSCOM (PERS-68) for shore confinement facilities, Echelon 2/3 commands for afloat brigs, or CMC (PSL Corrections) on the first working day following the end of the month covered. The report may be typed on NAVPERS 1640/11 or computer generated by CORMIS (Occupancy Report).

9111. DISPOSITION OF CONFINEMENT RECORDS AND REPORTS

1. Confinement Records and Reports. Confinement records and reports of prisoners released or permanently transferred from the confinement facility shall be disposed of as specified by SSIC 1640 of reference (n). Due to the frequent turnover of prisoners, files of prisoners released or transferred will be retained at the confinement facility for 2 years and then grouped and forwarded to the appropriate Federal Records Center (FRC). VWAP files shall not be forwarded to the FRC. VWAP files will be separately maintained by the confinement facility and destroyed 2 years from date of release.

a. FRC Atlanta (1557 St. Joseph Avenue, East Point, GA 30344) is the appropriate FRC for the following:

(1) Ashore confinement facilities under area coordination of Commander, U. S. Atlantic Fleet (COMLANTFLT).

(2) Ashore confinement facilities under area coordination of Commander, U. S. Naval Forces, Europe (COMNAVEUR).

(3) Ashore confinement facilities under area coordination of Echelon 2/3 command.

(4) Afloat brigs on Atlantic Fleet ships.

(5) Navy Consolidated Brig Charleston.

(6) Marine Corps confinement facilities located east of the Mississippi.

b. FRC Los Angeles (2400 Avila Road, 1st Floor East, P.O. Box 6719, Laguna Nigel, CA 92607-6719) is the appropriate FRC for the following:

(1) Ashore confinement facilities under area coordination of Commander, U. S. Pacific Fleet (COMPACFLT).

(2) Afloat brigs on Pacific Fleet ships.

(3) Navy Consolidated Brig, Miramar.

(4) Marine Corps confinement facilities located west of the Mississippi.

2. Logs. Brig logs, as defined by paragraph 8104 of this manual, will be maintained for 2 years from the date of the last entry or when total accumulation is at least 1 cubic foot, whichever is later and then retired to the appropriate FRC as cited above. All other logs shall be retained for 2 years from the date of the last entry and then destroyed.

3. Transmittal and Receipt. Shipment of records, reports, and logs shall be under SF 135, 135A, Records and Transmittal Form.

4. Drug Records. Release of records of naval personnel or former members who are receiving or have received treatment under any drug abuse prevention program carried on with Federal authorization or support shall be governed by section 408 of the Drug Abuse and Treatment Act of 1972, 42 U.S.C., section 290ee-2

and regulations issued under, 45 Code of Federal Regulations, (CFR), part 84.

5. Mental Health Records. Confinement facilities with mental health records maintained by credentialed mental health providers will maintain and store the records separately from the corrections treatment file record.

8112. INCIDENT REPORTS

1. Policy. These reports are intended to keep NAVPERSCOM (PERS-68) and CMC (PSL Corrections) informed of events in naval confinement facilities which could result in embarrassment to the naval service or focus public attention on the confinement facility in question. Initial report shall be by telephone.

2. Procedures

a. Navy incident reports will be submitted as Unit Situation Reports (UNIT SITREP, RCS JCS-FM (3501)) or OPREP-3, Navy Blue Reports, whichever is appropriate, per OPNAVINST 3100.6G (NOTAL). Marine Corps incident reports will be per MCO 3000.2H (Operational Reporting) and local standard operating procedures.

b. Report shall be submitted in the form of a message, with a copy to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) within 24 hours of the incident.

c. Following type incidents/alleged incidents shall be reported:

- (1) Death of a prisoner.
- (2) Suicide, or attempt, by prisoner or staff member.
- (3) Mass strike or disruptive action.
- (4) Incidents with racial overtones.
- (5) Incidents of maltreatment or abuse of prisoners.
- (6) Escape/Attempted Escapes.

(7) Use of deadly force.

(8) Other incidents which could result in embarrassment or focus public attention on the confinement facility.

d. When an incident occurs in a naval confinement facility, and an informal or formal investigation is ordered, a follow-up report including a copy of the investigation shall be submitted to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) when the investigation is complete and the matter resolved. Initial report is not to be delayed pending investigation. Serious incidents shall be reported by telephone immediately to NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

9113. TRANSFER OF RECORDS. See article 7409.

9114. DAILY REPORT OF PRISONERS RECEIVED AND RELEASED. This CORMIS report, or equivalent, is completed on a daily basis and submitted to the CO/OIC/CPOIC, as locally directed. Only the names of prisoners received or released on the day of report are to be recorded.

9115. PRISONER STATUS REPORT. CO/OIC shall require the submission of a prisoner status report at least weekly. This report shall, at a minimum, indicate prisoner status as of 0800 each Monday. Grouping of names shall be in terms of the confinement status. Primary purpose of this report is to aid the CO/OIC/CPOIC in monitoring and reducing delays in the disciplinary process. Copies of this report shall be provided to the CO of the prisoner's parent command, the legal office, and all officers having an interest in or responsibility for the processing of courts-martial and operation of the confinement facility.

SECTION 2. PERSONAL PROPERTY

9201. VALUABLES AND OTHER PERSONAL PROPERTY. Prisoners shall not be permitted to retain in their possession Armed Forces Identification Cards, money, credit cards, checks, jewelry, or similar negotiable personal property of value. Wedding rings and small religious medals are permitted, and the CO/OIC/CPOIC may authorize retention of other items of limited intrinsic value. Items which have not been approved shall be retained by the collection agent, returned to the confining command for

safekeeping, or disposed of by the prisoner. Such objects as wallets, photographs, keys, and letters having no intrinsic value that justifies additional protection shall not be accepted for safekeeping as valuables, but may be retained with the prisoner's personal effects.

8202. CUSTODIAL PERSONNEL. Collection Agent/Funds and Valuables Custodian/Assistant shall be appointed per article 3201.2 of this manual. In the event of several authorized custodians relieving each other, as in the case of weekend duty, a drop safe may be utilized vice an individual safe for each individual. This drop safe must have its access limited to the Collection Agent/Funds and Valuables Custodian/Assistant. During normal working hours, all funds and valuables received will be properly receipted for and delivered to the Funds and Valuables Custodian/Assistant for safekeeping or disposition. After normal working hours, all such funds and valuables received will be properly receipted for and deposited in a drop box.

9203. ACCOUNTING - FUNDS AND VALUABLES

1. Authorized custodian must accept and preserve or otherwise properly dispose of all personal property taken from a prisoner upon confinement or received during the period of confinement. Personal funds and valuables shall be inventoried, utilizing NAVPERS 1640/17, Prisoners Inventory and Receipt Form, in the prisoner's presence. This inventory is to be held by the Collection Agent/Funds and Valuables Custodian.
2. NAVPERS 1640/17 shall list the quantity of each item received, its description, identifying marks, and other pertinent information. It shall be signed by the person who inventories the property and by the prisoner. A signed copy shall be delivered to the prisoner for retention during confinement.
3. On the first workday following receipt of funds or valuables, the custodian will verify the entries made on NAVPERS 1640/17. This record will be utilized to list all funds upon release from confinement, will become part of the prisoner's record, and will be stored and destroyed using the same criteria.

4. Collection Agent/Funds and Valuables Custodian/Assistant is responsible for funds other than those in the prisoner's possession upon confinement, to include those received through the mail, received from visitors, or moneys received from their military pay account. It is advisable that adequate funds be made available to cover the cost of clothing, haircuts, etc.

5. Daily Ledger. This is a standard ledger that records expenditures and receipts and indicates the balance of the account. The ledger shall be audited daily.

8204. PERSONAL PROPERTY ACCOUNTING

1. Personal property clerk must accept and preserve or otherwise dispose of all personal property taken from prisoners upon confinement or received by them during confinement, and shall inventory it in their presence. Except for minimum release or transfer requirements, personal property shall be mailed/shipped at prisoner expense to their home or other selected location.

2. NAVPERS 1640/17 shall list the quantity of each item received, its description, identifying marks, and other pertinent information. It shall be signed by the person who inventories the property and by the prisoner. A signed copy shall be delivered to the prisoner for retention during confinement.

3. Articles and effects listed on NAVPERS 1640/17 shall be placed in appropriate containers, labeled or tagged with the individual's name, social security number, rate or grade, and properly stored, preferably in a separate storage room and marked "For Official Use Only." Only the property clerk shall have access to other prisoner's personal property.

4. When released from confinement and upon receipt of their personal effects, prisoners shall sign a statement, indicating receipt of property at the bottom of the inventory form. Custodian shall then write or stamp the words "Account closed on (date)," sign, and file it.

8205. EXPENDITURE OF PERSONAL FUNDS. Subject to the approval of the BRIG O, prisoners may spend personal funds held in safekeeping for them and money due them, for special purposes

such as the purchase of educational materials, hobby materials, remittance to dependents, payment of debts, and attorneys fees. Prisoners will submit a written request to have a check issued to a specific person, company, etc. Check will be issued to the designee. Written request will be kept in the prisoner's file to document the existence of such a request. It is recommended such checks require double signatures of staff members authorized to issue checks then forwarded directly to the designee. Expenditures are not to be considered a part of the normal expenditure for health and comfort items, clothing, or services. Prisoners shall not be allowed to deplete their account to the point that they cannot meet their requirements for H&C, etc.

8206. EXPENDITURES FOR CLOTHING

1. Policy. Prisoners in a pay status will pay for additional clothing as required from their commingled accounts. A charge against the prisoner's military pay account is authorized only when the prisoner's commingled account is depleted. If pay account checkage is authorized on DD 504, Request and Receipt for Health and Comfort Supplies or NAVMC 604, a certification is required stating that the prisoner's commingled account is depleted or is inadequate to pay for uniform items. Charges to pay accounts shall not be authorized if circumstances do not allow time for recoupment by command finance activities prior to the prisoners release.

2. Procedures

a. Prisoners without necessary clothing and known to be in a non-pay status shall be lent the required clothing by the confinement facility until they can obtain their own.

b. All gratuitous issues and clothing lent to prisoners are chargeable to the operating and maintenance allotment of the command furnishing logistic support to the confinement facility.

c. Requests for clothing and small stores shall be submitted on a DD 504 or NAVMC 604.

d. Stragglers and others temporarily awaiting travel may be clothed as described in article 8206.1 of this manual. Even though in a pay status, they may be lent the necessary clothing,

if available, for use during a short period of detention. Normally they will travel in the clothing in which they arrived. Navy personnel without adequate or proper clothing may be provided clothing as prescribed in reference (c).

9207. EXPENDITURES FOR HEALTH AND COMFORT ITEMS

1. Prisoners in a pay status shall provide for their own needs through deductions from their personal accounts or charges to their pay accounts.
2. Preferred procedure is deduction from the prisoner's funds in the commingled bank accounts.
3. If deduction from the prisoner's account becomes extremely burdensome, or a situation arises making funds withdrawal impossible, then checkage against their pay accounts will be made by using DD 504 and the procedures in reference (q), article 40801 and reference (r), part 5, chapter 2, section B. Charges against the prisoner's account can be made using NAVCOMPT 399, Receipt for Deposit and Withdrawal.
4. Articles for health and comfort of individual prisoners shall not be requested or accepted from the American Red Cross, Salvation Army, or any other public charitable organization.

9208. EXPENDITURES FOR SERVICES. When services, including laundering, tailoring, barbering, and cobbling, cannot be satisfactorily provided in kind to prisoners in a pay status, they shall be obtained from the most economical sources and charged to the prisoners. Necessary services shall be provided for prisoners in a non-pay status from the same operating fund as regular health and comfort items, but the amount provided for health and comfort is not to be reduced.

9209. LIMITS ON EXPENDITURES

1. No arbitrary limits shall be placed on the quantity of any item or the total cost of health and comfort supplies for those who have sufficient personal funds or credit on their pay record except as indicated below.

a. BRIG O may establish item limits and total cost limits so an individual is not permitted excesses over reasonable needs for any items.

b. Limits may be placed on expenditures of funds above those required for health and comfort if such expenditures would result in the prisoners' supplies becoming a government expense.

2. Personnel in a non-pay status shall be furnished health and comfort supplies as gratuitous issues. Funding for such health and comfort items will be per reference (m). When requested by the prisoner, this issue is limited to not less than \$20, excluding the cost of services provided. Maximum gratuitous issue is \$40, per DOD 7000.14-R of February 1996, article 120213, volume 10, chapter 12. Those prisoners may purchase additional items if they have personal funds.

9210. EXPENDITURES FOR UNKNOWN PAY STATUS AND ABSENTEES

1. Unknown Pay Status. Military personnel committed to naval confinement facilities whose pay status is unknown, shall be considered to be in a non-pay status, until their status can be verified. If prisoners are without clothing or articles and funds to obtain services for health and comfort, they shall be provided these necessities at the time of processing for commitment; however, payment will not be made for these issues until the status verification process is complete. See reference (q) (part 4, chapter 3, section B) and reference (r) (part 5, chapter 2, section B) for status verification process and payment procedures.

2. Returned Absentee. Reference (q) requires that a member's pay status, social security number, name, and date of end of active obligated service (EAOS) be verified before opening a temporary pay account. Health and comfort supplies and clothing may be provided by use of a DD 504, checked to indicate the issues will be charged against the member's pay account, and are processed as prescribed in reference (q) (part 4, chapter 3, section B) and reference (r) (part 5, chapter 2, section B).

8211. APPROVED HEALTH AND COMFORT ITEMS

1. Policy. Health and comfort items include those necessary to maintain personal hygiene and military appearance, writing materials, and postage. Initial supply shall be adequate for 1 month's use but may be prorated if regular replenishment or the prisoner's release will be less than 1 month.

2. Approved Items. Any items on the following list will normally be approved in adequate quantities:

laundry bag	shower shoes
bath soap	shaving soap/cream
shoe shining gear	cigarettes and matches
toothbrush	toothpaste
nail clippers	laundry soap
face cloth	* bath towel
comb (small; not steel;	deodorant, stick type
afro allowed)	sanitary napkins
writing material and postage	* handkerchiefs
stamp embossed envelopes	shampoo
razor, enclosed blade	hair cream, tube type

NOTE: No glass or aerosol containers are permitted.

- * Considered clothing for Navy prisoners, rather than a health and comfort item.

3. Procedures

a. Items supplied will not ordinarily duplicate or replace identical items already in the prisoner's possession. When a prisoner has one type or brand, it shall not be confiscated and replaced by another.

b. Neither initial supply nor re-supply shall consist of a standard assortment of articles that include some which the prisoner does not use or need, except small packets issued at reception intended for 1 day or weekend use.

c. Commands which order persons into confinement shall be informed of the quantity of each item necessary for health and comfort. If prisoners have these items, or are confined during working hours and can obtain them, they shall bring these with them to confinement. It is the responsibility of the prisoner's

unit CO to ensure prisoners have an adequate supply of health and comfort items upon confinement; however, if prisoners are confined without personal necessities, they shall be provided by the confinement facility during in-processing. The CO/OIC/CPOIC of the facility is responsible for ensuring all prisoners receive a periodic re-supply of consumable items.

9212. EXPENDITURE EXCEPTIONS. Although every prisoner in a pay status or with personal funds shall normally be charged for or pay for all articles, supplies, and services for health and comfort, an exception may be made in the case of absentees and others detained for a short period of time awaiting transfer elsewhere. In such cases, they may be loaned certain articles for use while in naval custody and may be furnished limited supplies and services gratuitously. These exceptions are restricted to cases where the amount of money involved does not appear to justify the administrative expense of processing a charge against pay accounts of members of another service although such a person has enough money to pay for them.

9213. CLOTHING

1. Requirements

a. When other than a full sea bag is required, the CO/OIC/CPOIC shall inform commands of items of clothing which prisoners are required to have in their possession while confined and which must be with the person upon confinement.

b. Not all items authorized are required for use during confinement, nor is the full quantity of each item necessary for short periods, i.e., B&W; however, prisoners must be adequately supplied to present a clean and neat appearance and to do the work assigned. They shall be assisted in obtaining their own clothing and effects as soon as practicable. Special clothing may be issued to prisoners on the same basis as to other personnel.

c. Prisoners are required to have available one complete seasonal service uniform with insignia, emblems, decorations, and ribbons to which entitled, for all appearances in court. Expenses of providing this uniform are chargeable against the prisoner's pay accounts unless they are in a non-pay status, in which case it will be charged against the operating allotment.

Prisoners may be permitted to wear this uniform during visits, when appearing before a court-martial, and on other occasions approved by the CO/OIC/CPOIC. Prisoners of one service shall not wear the uniform of another service.

d. Prisoners may not transfer or lend any clothing or other personal property to other prisoners.

2. Prisoner Uniform

a. Prisoners will wear uniforms per current uniform regulations of the prisoner's service, except as noted here. Identifying badges will be worn per article 8106 of this manual. Prison uniforms may only be prescribed by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

b. Uniform for IC prisoners when away from the confinement facility is the uniform worn by other persons on the base engaged in the same work, training, or other activity. It may be the uniform of the day, work uniform, or special clothing required by a particular assignment, and shall not in any way identify the prisoner as such except as provided for in paragraphs 4201.2e(5) and 5201.2 of this manual.

3. Marking. Prisoner clothing shall be marked per the prescribed system of the individual's service.

4. Travel Uniforms. Prisoners traveling by public carrier, or whenever travel otherwise requires their appearance before the public, shall wear the same uniform as other personnel of their service traveling the same route or as prescribed by service regulations. Particular care must be taken to ensure that they present a clean and neat appearance to the public.

5. Clothing Stock. CO/OIC/CPOIC shall maintain a reasonable supply of prisoner clothing for temporary use. Upon release, loaned items shall be recovered, laundered or cleaned, as appropriate, and the footwear sterilized for reissue as prescribed by the medical officer.

6. Discharge Clothing. When prisoners are to be discharged and are not entitled to wear the uniform, articles of outer uniform will be taken from them per regulations governing supply matters in each service. In such a case, an outfit of civilian clothing

may be procured by the command operating the confinement facility, and issued at no cost to the prisoners, and without regard to the state of their pay account or availability of personal funds; however, prisoners shall be encouraged to provide their own civilian clothing if it is available in the area or can be sent to them. If prisoners are received with civilian clothes in good repair, one set may be retained for use at release when other possessions are mailed out.

SECTION 3. MISCELLANEOUS ADMINISTRATIVE SUBJECTS

8301. CORRESPONDENCE AND VISITING

1. Policy. Prisoners shall be allowed to retain contact with their family and to conduct personal affairs to the greatest extent possible, not inconsistent with this and other governmental prohibitions. Security requirements must be kept in mind when establishing local programs. Any deviation from this policy must be documented as interference to the security and good order of the institution. "Correspondence" means incoming or outgoing letters (mail) other than "privileged correspondence". Correspondence includes packages sent through the mail.

2. Procedures

a. Denying family and friends visiting privileges for arbitrary reasons is not allowed.

b. All prisoners shall be permitted to write personal letters without numerical limit and to receive all incoming mail regardless of their disciplinary status, unless this privilege has been restricted or unless the volume of a prisoner's mail constitutes an interference with the orderly administration of the facility. When authorized by the CO, a record shall be kept of exchanges of mail and visits using NAVPERS 1640/15, Mail and Visiting List.

c. Under no condition will any prisoner be prevented from consulting or corresponding with counsel or the authorized representative of counsel, maximum security, special quarters, and disciplinary segregation requirements notwithstanding; nor will a request to see a chaplain be denied. It is further required that arrangements will be made for the apostolical

privacy of any consultation between prisoners and their counsel or clergy within the confinement facility. The confidentiality of the lawyer-client privilege is recognized in R.C.M. 502 of reference (c) and in rule 1.6 of JAGINST 5803.1. Confidentiality of communications to clergy is recognized in R.C.M. 503 of reference (c), SECNAVINST 1730.1B and OPNAVINST 1730.1B. Refer also to article 9301.8 of this manual.

d. Prisoners shall not be required to answer any but official correspondence or to receive any but official visitors. Refusal by a prisoner may be actionable as a disciplinary offense; however, physical coercion is not authorized.

e. Visiting periods shall be established and included in the plan of the day at the confinement facility on all nonworking days such as Sundays and holidays. Where conditions permit, prisoners shall be permitted to receive visitors for at least 2 hours on each visiting day. Reasonable exceptions as to time and length of visits shall be made for visitors who may have traveled a long distance or for some reason cannot visit on regular days or during regular visiting hours. No limitations will be imposed as to the number of persons who may visit with a prisoner, except due to space restrictions or to maintain security, control, or to exclude persons disapproved by the CO/OIC/CPOIC, or designee, for cause. Any limitations will be applied evenly and fairly. Reasons for disapproval will be recorded in letter format and placed in the prisoner's file.

3. Authorized Correspondents. No limitations will be imposed as to the number of persons that may correspond with a prisoner except for security or control. Any limitations on correspondence must be required in the interest of safe administration or security. If the CO/OIC/CPOIC makes a determination to disapprove a correspondent, a letter must be placed in the prisoner's file stating specific reasons for such a determination and a correspondent will be notified of the disapproval by the confinement facility.

4. Mail Inspection

a. All prisoners mail, except as noted in article 9301.8 below, shall be subject to inspection and scanning. Scanning is defined to mean to glance at or read hastily. Inspection is the checking of the mail for contraband.

b. A prisoner's consent is not required prior to inspection of incoming mail; however, prisoners shall be advised, and written notice be included in the prisoners' rule book, that all mail may be subject to inspection. Shall prisoners refuse to accept any or all mail, they shall sign a statement to that effect. Mail shall be marked "Refused" and returned unopened to the sender. Signed statement of refusal shall be filed in the prisoner's file.

c. Correspondence Monitoring. CO/OIC/CPOIC may establish procedures for monitoring incoming and outgoing correspondence. Facilities may wish to give closer scrutiny to the incoming and outgoing correspondence of certain prisoners, for example, prisoners: who participated in criminal activity of a sophisticated nature, whose crimes involved mail or fraudulent schemes, who are considered escape risks, and who present management problems. Staff member designated by the CO/OIC/CPOIC to supervise prisoner correspondence may maintain a list of such prisoners. These monitoring procedures may not, however, interfere with the prompt handling of the correspondence.

5. Rejection of Mail

a. CO/OIC/CPOIC, or designee (XO, AOIC (Navy), BRIG O or any section officer with supervisory authority over the mail room (Marine Corps)), may reject correspondence sent to or by a prisoner if it is determined detrimental to the security, good order or discipline of the facility, to the protection of the public, or if it might facilitate criminal activity. Correspondence which may be rejected by a CO/OIC/CPOIC includes, but is not limited to, correspondence which contains any of the following:

(1) Matter which can not be mailed under law or postal regulations.

(2) Matter that depicts, describes, or encourages activities that may lead to the use of physical violence or group disruption.

(3) Information of escape plots, of plans to commit illegal activities, or to violate facility rules or regulations.

(4) A prisoner may not direct a business while confined. This does not, however, prohibit correspondence necessary to enable a prisoner to protect property and funds that were legitimately the prisoner's at the time of commitment. Thus, for example, a prisoner may correspond about refinancing an existing mortgage or sign insurance papers but may not operate a mortgage or insurance business while in the facility.

(5) Threats, extortion, obscenity, or gratuitous profanity.

(6) Contains code or other obvious attempts to circumvent regulations.

(7) Sexually explicit material (for example, personal photographs) which by its nature or content poses a threat to an individual's personal safety or security or disrupts good order and discipline.

(8) A package received without prior authorization by the CO/OIC/CPOIC is considered to be contraband.

b. Perceived derogatory or defamatory remarks alluding to conditions, e.g., food, lights, bedding, mail, medical, etc., or allegations which could embarrass the Navy are permitted.

c. Where incoming and outgoing correspondence is found unacceptable, the CO/OIC/CPOIC will promptly notify the prisoner in writing of the decision and the reasons. Notice must contain reference to the specific text or material(s) considered objectionable. Notification of disapproval of correspondence and the reason for disapproval will be made to the prisoner in writing.

(1) CO/OIC/CPOIC will permit the prisoner an opportunity to review the material for purposes of filing an appeal, unless such a review may provide the prisoner with information of a nature that is deemed to pose a threat or detriment to the security, good order or discipline of the facility, or to encourage or instruct in criminal activity.

(2) Disapproval notice will advise the prisoner of the appeal process. Prisoner may obtain an independent review of the disapproved correspondence by submitting a written request

within 20 days. Disapproved correspondence will be retained and safeguarded for not less than 20 days from the initial disapproval date and throughout the appeal process.

(a) For prisoners confined in Navy confinement facilities, the appeal will be submitted to NAVPERSCOM (PERS-69), via the chain of command.

(b) For prisoners confined in Marine Corps confinement facilities, the appeal will be submitted to the activity commander's designee.

(3) If the prisoner does not submit an appeal within 20 days, correspondence will be returned to the sender unless the correspondence includes plans for or discussion of commission of a crime or evidence of a crime, in which case there is no need to return the correspondence or give notice of the rejection, and the correspondence shall be referred to appropriate law enforcement authorities. Also, contraband need not be returned to the sender.

(4) If an appeal is made, the appeal review authority will first review either the disapproved correspondence or a copy of the offensive portion before acting on the appeal.

(5) Appeal review authority will provide a written decision to the prisoner and the CO/OIC/CPOIC within 30 days of receipt of the appeal.

(6) CO/OIC/CPOIC will forward the sender (and the prisoner if not the sender) of unacceptable correspondence a copy of the rejection letter. CO/OIC/CPOIC will advise the sender (and the prisoner if not the sender) they may obtain an independent review of decision for disapproving the correspondence by submitting a written request to the review authority, per article 8301.5c(2) of this manual, within 20 days of receipt of the rejection letter. CO/OIC/CPOIC will return the disapproved correspondence to the sender unless the sender indicates intent to file an appeal under the appeal process. In which case the CO/OIC/CPOIC will ensure safeguard of the disapproved material for review. If the rejection is sustained, the rejected correspondence will be returned to the sender when the appeal is complete.

d. CO/OIC/CPOIC may limit (for fire, sanitation, or housekeeping reasons) the number or volume of correspondence prisoners may receive or retain in their quarters.

e. Contraband (see article 4302.1) found in mail will be confiscated. Unauthorized materials other than illegal contraband may be placed with the prisoner's stored personal property. Illegal drugs, substances, or non-mailable matter such as hazardous material, weapons, and explosives found in the mail must be reported to base security and the nearest United States Postal Inspection Service Office to determine if an investigation shall be initiated against the sender. Your local post office can assist you in contacting the Postal Inspection Service. A chain of custody will be implemented for illegal contraband and criminal charges implemented, if warranted. In all cases proper inventories will be completed and custody receipts prepared. Where such storage is contrary to the security or would interfere with the orderly administration of the confinement facility, the prisoner will be required at the prisoner's expense, to return such contraband to the sender or to have such contraband destroyed. In the event the prisoner refuses to elect, such refusal will be documented and the contraband destroyed. Mail accompanying contraband or unauthorized material will be processed in a normal manner unless rejection is warranted under the provisions of article 8301.5a of this manual.

f. Mail written in a foreign language will not be rejected solely due to the lack of an interpreter. Rejection must be based on the provisions of article 8301.5a of this manual, after translation by a qualified interpreter. In the absence of an interpreter, and if there is no reason to believe the letter represents interference to the security or good order of the confinement facility, mail written in a foreign language will be promptly transmitted to the prisoner to whom it is addressed.

6. Restricted Correspondence

a. CO/OIC/CPOIC may restrict correspondence based on misconduct or for any of the following reasons:

(1) Involvement in any of the activities determined detrimental to the security, good order, or discipline of the

facility, to the protection of the public, or if it might facilitate criminal activity.

(2) Attempting to solicit funds or items (e.g., samples) or subscribing to a publication without paying for the subscription.

(3) Being a security risk.

(4) Threatening a government official.

(5) Having committed an offense involving correspondence.

b. A prisoner on restricted correspondence may only correspond with individuals approved by the CO/OIC/CPOIC. For each prisoner on a restricted correspondence status, a list of approved individuals will be maintained.

7. Correspondence Between Confined Prisoners. A prisoner may be permitted to correspond with a prisoner confined in any other penal or correctional facility, subject to the below limitations, if the other prisoner is either a member of the immediate family or is a party or witness in a legal action in which both prisoners are involved. Following additional limitations apply:

a. Such correspondence may always be inspected by staff at the sending and receiving facilities.

b. Person in charge of both facilities must approve of the correspondence between both prisoners involved. Any denial and the rationale for disapproving the correspondence request must be fully documented.

8. Outgoing Mail Procedures

a. CO/OIC/CPOIC shall establish at least one mail depository (marked U.S. Mail) within the facility for a prisoner to place outgoing correspondence. CO/OIC/CPOIC may establish a separate mail depository for outgoing privileged correspondence. Each item placed in a mail depository must contain a return address. Mail supervisor/clerk shall be the only person in possession of the key to this box. This person shall remove the

mail at least once each workday and, after inspection, seal approved mail and deposit it in the Postal Service.

b. Outgoing mail shall bear no external indication the sender is a prisoner or be marked to indicate inspection. Return address may include a post office box number or street address, and when appropriate, a secondary unit designator (such as suite (STE) or room (RM)). For example, "PO Box 6, 3520 John Paul Jones ST, STE 101" rather than "Naval Station Brig."

9. Packages. CO/OIC/CPOIC may authorize prisoners to receive packages on Christmas, birthdays, and at other times per local instructions. If contraband is found in a package, see article 8301.5c of this manual. Prisoners shall not receive patent medicines, drugs, or other medications through the mail. Packages and other mail received for prisoners known to be narcotic or marijuana users, or former vendors, shall receive careful attention.

10. Privileged Correspondence

a. All incoming/outgoing correspondence between a prisoner and the following is privileged and only subject to inspection for contraband in the presence of the prisoner but not read, nor shall prisoners be interviewed in connection with privileged mail prior to its being sent or delivered. The prisoner is responsible for advising privileged correspondents that correspondence will be handled as privileged only if the envelope is clearly marked with the attorney's/privileged correspondent's name and an indication that the person is an attorney/privileged correspondent, and the front of the envelope is marked "Privileged Correspondence Do not open".

President or Vice President of the United States; U.S. Department of Justice; U.S. Attorneys' Offices; Service Secretaries; Courts (Federal, State, local); Members of the U.S. Congress, Embassies (ambassadors) and Consulates (consulate generals); State Attorneys; General Prosecuting Attorneys; State Parole Commissioners; State Probation Officers; Judge Advocate General or their representatives; Inspectors General or their representatives; prisoner's defense counsel; the prisoner's clergyman, when approved by the chaplain; and any attorney listed in professional or other directories, or such attorney's representative.

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b. If there is reasonable doubt that an incoming letter is from a privileged source, even though it appears to be, it may be opened and inspected to ensure it is genuine. If such letters are opened, a photocopy of the envelope shall be made and filed in the prisoner's file to document the "reasonable doubt." Incoming privileged mail may be inspected (not read) only for contraband and only in the presence of the prisoner. Privileged correspondence shall not be inspected unless good cause exists to show substantial interference with the security and good order of the confinement facility. All inspections of privileged correspondence shall be documented in the privileged correspondence log (see article 8104.4). Otherwise, incoming letters from any of the above will be delivered unopened, and outgoing letters will be sealed by the prisoner. Care shall be taken to ensure outgoing sealed letters bear correct addresses of the intended addressees.

c. Privileged correspondence may be subject to inspection (not reading) during searches conducted after it has been delivered to the addressee. Prisoners shall be advised during orientation that if they wish the contents of privileged correspondence to be kept inviolate from other prisoners or staff after delivery, they shall request its inclusion in their stored personal property or they shall destroy the letter. Staff shall never read privileged correspondence.

d. In the absence of either adequate identification or the "privileged correspondence" marking appearing on the envelope, staff may treat the mail as general correspondence and may open, inspect, and scan the correspondence.

e. Except as provided below, outgoing privileged correspondence may be sealed by the prisoner and is not subject to inspection.

(1) A prisoner's privileged correspondence status may be restricted by the CO/OIC/CPOIC if the correspondence either has posed a threat or a threat of physical harm to the recipient (e.g., the prisoner has previously used privileged correspondence to threaten physical harm to the recipient).

(2) CO/OIC/CPOIC shall notify prisoners their privileged correspondence is being restricted and the reason for the restrictions.

(3) A prisoner whose privileged correspondence is restricted must present all materials and packaging intended to be sent as privileged correspondence to authorized postal staff for inspection. Staff shall inspect the privileged correspondence material and packaging, in the presence of the prisoner, for contraband. If the intended recipient of the privileged correspondence has so requested, postal staff, when authorized by the CO/OIC/CPOIC, may read the privileged correspondence for the purpose of verifying that the privileged correspondence does not contain a threat of physical harm. Upon completion of the inspection, staff shall return the privileged correspondence material to the prisoner if the material does not contain contraband or contain a threat of physical harm to the intended recipient. Prisoner must then seal the privileged correspondence material in the presence of staff and immediately give the sealed correspondence material to the observing staff for mailing. Privileged correspondence determined to pose a threat to the intended recipient shall be forwarded to the appropriate law enforcement entity. Staff shall send a copy of the material, minus the contraband, to the intended recipient along with notification the original material was forwarded to the appropriate law enforcement entity.

f. CO/OIC/CPOIC shall review a prisoner's restricted privileged correspondence status at least once every 30 days. Prisoner is to be notified of the results of this review. A prisoner may be removed from restricted privileged correspondence status if the CO/OIC/CPOIC determines the privileged correspondence does not threaten or pose a threat of physical harm to the intended recipient.

g. A prisoner on restricted privileged correspondence status may seek review of the restriction through the chain of command.

11. Official and Special Purpose Correspondence. Letters to military authorities shall be sent through channels per regulations governing official correspondence. Letters containing accusations, requests, or complaints shall be forwarded through proper channels to officials who have the authority to take the appropriate action. Petitions or writs for release addressed to proper authority shall be forwarded directly rather than through official channels. Other special

purpose correspondence may be permitted at the discretion of the CO/OIC/CPOIC.

12. Prisoner Funds Received Through the Mail

a. A prisoner may receive funds from family or friends only with the approval of the CO/OIC/CPOIC for crediting to the prisoner's funds account. No personal checks will be cashed by facility staff and deposited into prisoner fund accounts.

b. A prisoner is responsible for advising persons forwarding funds that all negotiable instruments, such as cashier checks or money orders, shall bear the prisoner's full name and social security number, thereby helping to ensure a deposit to the proper prisoner's account. Negotiable instruments not accepted because they are incorrectly prepared will be returned to the sender with a letter of explanation. A copy of this letter will be provided to the prisoner.

c. A prisoner may not receive through the mail unsolicited funds, nor may the prisoner solicit funds or initiate requests that might result in the solicitation of funds from persons other than as specified in paragraph 12(a) of this section.

13. Newspapers, Periodicals, and Other Mailed Matter

a. Definitions

(1) Publication as used in this manual is defined as a book, booklet, pamphlet, or similar printed document, or a single issue of a magazine, newsletter, or newspaper, plus such other materials addressed to a specific prisoner as advertising brochures, flyers, and catalogs. This definition does not include publications in multi-media format such as audio tape or video tape. The facility bears no responsibility to provide a means to review such multi-media formats.

(2) Commercially published information or material means any book, pamphlet, magazine, newsletter, or similar document, including stationery and greeting cards, published by any individual, organization, company, or corporation which is distributed or made available through any means or media for a commercial purpose. This definition includes any portion extracted, photocopied, or clipped from such items.

(3) Nudity refers to any pictorial depiction where genitalia or female breasts are exposed.

(4) Features indicate the publication contains depictions of nudity or sexually explicit conduct on a routine or regular basis or promotes itself based upon such depictions in the case of individual one-time issues. Publications containing nudity illustrative of medical, educational, or anthropological content may be excluded from this definition. Any publication may change a single issue or its general policies and practices at any time that would allow it to become acceptable or non-acceptable for distribution.

(5) Sexually explicit means a pictorial depiction of actual or simulated sexual acts including sexual intercourse, oral sex, or masturbation.

b. Policy

(1) A literary review board will be established at each confinement facility. Given the guidance provided below, literary review board is responsible to review publications to determine if an incoming publication is detrimental to the security, discipline, or good order of the confinement facility, or if the publication might facilitate criminal activity. Commercial publications that are sexually explicit or feature nudity are likely to have a detrimental effect on rehabilitation. Because rehabilitation is a legitimate correctional interest, such publications will be excluded. Prisoners with a sentence of 6 months or longer, with prior approval of the CO/OIC/CPOIC may subscribe to and retain publications as specified below.

(2) Prisoners will receive hardcover publications and newspapers only from the publisher, a book club, or from a bookstore. Publications or other softcover material received from any source may be received if previously approved by the CO/OIC/CPOIC and carefully screened to avoid the introduction of contraband. Only the CO/OIC/CPOIC may disapprove an incoming publication.

(3) CO/OIC/CPOIC may disapprove a publication only if it is determined to be detrimental to the security, good order, or discipline of the confinement facility, or if it might facilitate criminal activity. As rehabilitation is a legitimate

correctional interest, commercial publications that are sexually explicit or features nudity will be excluded. Inability to view multi-media publications may be cause for requiring the prisoner to destroy, properly store, or mail-out the publication. CO/OIC/CPOIC may not disapprove a publication solely because its content is religious, philosophical, political, social or sexual, or because its content is unpopular or repugnant. Publications which may be disapproved by the CO/OIC/CPOIC include but are not limited to publications which meet any of the following criteria:

- (a) Violates postal regulations.
- (b) Depicts, or describes procedures for the construction or use of weapons, ammunition, bombs, or incendiary devices.
- (c) Depicts, encourages, or describes methods of escape from confinement facilities, or contains blueprints, drawings, or similar descriptions of confinement facilities.
- (d) Depicts or describes procedures for the brewing of alcoholic beverages or the manufacture of drugs.
- (e) Contains or is written in code.
- (f) Depicts, describes, or encourages activities which may lead to the use of physical violence or group disruption.
- (g) Advocates racial, religious, or national hatred in such a way as to encourage violence in the facility.
- (h) Encourages or instructs in the commission of criminal activity.
- (i) Is sexually explicit material, which by its nature or content poses a threat to the security, good order, or discipline of the facility or facilitates criminal activity.

1. Sexually explicit material of the following types may be disapproved, as potentially detrimental to the security and good order or discipline of the facility, or as

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facilitating criminal activity: Sado-masochistic, Bestiality, involving children (children under age of 16).

2. Child-model materials prohibited by law will be disapproved.

(j) Sexually explicit material does not include material of a news or information type. Publications concerning research or opinions on sexual health, or reproductive issues, or covering the activities of gay rights organizations or gay religious groups, for example, shall be admitted.

(k) Literary publications shall not be excluded solely because of homosexual themes or reference unless the material includes sexually explicit material, which by its nature or content poses a threat to the security, good order, or discipline of the facility or facilitates criminal activity.

(l) Sexually explicit material may nonetheless be admitted if it has scholarly value or general social or literary value.

(4) CO/OIC/CPOIC will not establish an approved or disapproved list of publications and will review each issue of a publication prior to disapproval of that issue. Disapproval of several issues of a subscription publication is not sufficient reason to disapprove the subscription publication in its entirety. It is recommended that a prisoner who wishes to order a publication first speak with a designated staff member to ascertain whether individual issues of the publication are likely to be approved. This discussion is not required, but it may avoid disappointment and administrative problems when a publication is later determined to be unacceptable.

(5) Appeal process. Per article 9301.5c of this manual.

(6) CO/OIC/CPOIC may limit (for fire, sanitation or housekeeping reasons) the number or volume of publications prisoners may receive or retain in their quarters.

14. Postage. Postage is an approved health and comfort item, provided at no cost to prisoners who are not in a pay status. Prisoner's in a pay status shall purchase pre-stamped envelopes,

or postage stamps when necessary. All prisoners shall use pre-stamped envelopes, if available.

15. Authorized Visitors

a. Visits by unmarried persons under the age of 18 shall not be permitted unless they are accompanied by their parent(s) or legal guardian. Visits to married prisoners by members of the opposite sex over the age of 18, other than the spouse or documented relative, are prohibited unless specifically authorized in writing by the CO/OIC/CPOIC. Visitors may be listed on NAVPERS 1640/15, Mail and Visiting Dist.

b. CO/OIC/CPOIC may deny visitation for cause (e.g., civilian or military protective orders, legitimate rehabilitative interests, and good order, discipline, and security of the facility).

16. Visiting Facilities. Each confinement facility shall have a furnished room or area for visiting. Informal or lounge type furnishings are most desirable. Visiting room shall be inside the security perimeter. Areas presenting obviously harsh security features such as steel bars and security mesh shall be avoided. Mess hall, offices, or other areas may be used when a more suitable place cannot be provided.

17. Supervision of Visits

a. Visit supervisors shall have complete visual control of the visiting room to ensure compliance with regulations on security and conduct. Supervisors in the visiting room shall not be armed. Supervisors shall be courteous and completely businesslike in their relationship with visitors. They shall not discuss prisoners, their conduct, or offense with visitors. There is an absolute prohibition against staff attempting to form friendships or relationships with visitors. Visitors with legitimate inquiries shall be referred to the person authorized to furnish such information. If asked, the supervisor may inform the visitor of the rules governing packages, gifts, and the length and frequency of visits allowed. Visiting rules will be conspicuously posted at the entrance of the visiting area. To ensure good order and discipline of the facility during visitation, confinement facility CO/OIC/CPOIC may take necessary

and reasonable steps to ensure safety of staff, prisoners, and public.

b. Prisoners shall be instructed in security and conduct regulations affecting visiting, and they shall be directed to inform their visitors of such regulations. Only conduct which is in good taste in public is permissible. This requirement is not intended to preclude an embrace and kiss at the beginning and termination of the visit within the bounds of good taste, nor to preclude prisoners holding their infant children, etc., during the visit.

c. Purses and packages will be stored in visitor lockers, and the visitor will be given a locker key.

d. If used by a confinement facility, all visitors (military or civilian) will be required to pass through a walk-through metal detector/submit to a body scan with a hand-held metal detector. If the metal detector indicates metal is present, the visitor shall be asked for permission to determine the nature of the detected item. If visitors refuse to comply, they shall not be allowed to visit and the incident shall be documented in letter format and placed in the prisoner's file. A log entry will be made specifying the specific reasons for denial of visiting privileges. Visitors will be allowed to enter only after confinement facility personnel are satisfied that no unauthorized items are present.

e. If illegal items are discovered (i.e., firearms, explosives, suspected narcotics, etc.), do the following:

- (1) Contact local security.
- (2) Take necessary and reasonable steps to ensure the safety of staff, prisoners, and public.
- (3) Confiscate and maintain control of the illegal item.
- (4) Execute chain of custody procedures.
- (5) If prisoners are involved, they shall be separated from the visitor, searched, and placed in a holding area.

(6) All personnel involved shall prepare detailed reports and cooperate fully with local security personnel.

f. If contraband (vice illegal) item is found, the visitors will be advised that they may not enter the facility with the contraband item but must place it in the visitor's locker. If placed in the visitor's locker, the visit may be allowed or continued, at the BRIG O's discretion or per confinement facility rules. If the item is not placed in the visitor's locker, the visitor will be denied entrance.

g. At no time shall confinement facility staff strip search a visitor. Frisk searches shall be conducted by a staff member who is of the same sex as the visitor.

h. Shall a visitor refuse to comply with verbal directions or instructions given by staff personnel, the visitor may be denied entrance, and the visit may be terminated. At no time will force be used against a visitor unless:

(1) Visitor poses an imminent threat of inflicting serious bodily harm or death upon another.

(2) Visitor has engaged in a serious breach of security and the incident cannot be contained without the use of force against the offending party.

(3) Physical security of the facility is seriously threatened.

i. Before any force may be used, all other reasonable alternatives must be considered and have failed. In any event, force may be applied only to the extent necessary to control or contain the situation.

j. Confinement facilities shall make a separate area available for visitors needing to breastfeed their children. This area will not be in view of prisoners. Visitation contact with the prisoner will be interrupted during the feeding time, but once completed, may continue. Arrangements for breastfeeding at the facility shall be displayed along with other visitation rules.

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18. Information to Correspondents and Visitors

a. Format. A letter is useful to inform prospective correspondents and visitors concerning mail and visiting regulations. Its use reduces the amount of official correspondence required to answer inquiries of persons who are confused and worried about the status and welfare of prisoners. Providing printed information for prisoners to include in their first letter to each correspondent satisfies most situations. Prisoners are not required to use this format.

b. Content. Content of this letter may be varied to meet local or special requirements. Articles that are declared contraband will be identified. Such letters shall not contain warnings against the use of obscenity in letters or improper displays of affection in visits, since some recipients will be parents, grandparents, and others for whom such warnings would not be in good taste. Reference to possible disciplinary action against the prisoner for misconduct of visitors shall not be included.

19. Official, Press, and Civilian Visits

a. Requests for general visiting of the confinement facility by groups or individuals shall be coordinated with the local public affairs office (PAO) and per SECNAVINST 5510.30A and SECNAVINST 5720.44A. Each request shall include a specific reason for the visit. CO shall coordinate requests for such visits per local policy, and shall take into account the confinement facility's ability to maintain good order and discipline and availability of staff to supervise the visit. Such visits shall normally be conducted within the confinement facility's regular visitation schedule.

b. Personal interviews and telephonic communications between prisoners and media representatives are not authorized, unless a determination is made that such interview serves a legitimate public interest, or is in the best interest of the military, per reference (s).

20. Telephone Calls and Telegrams

a. Telephone. Telephone calls to or by prisoners will be at the expense of the outside party, except in emergencies, and

will be permitted when considered to be in the best interest of the prisoner's morale and will aid in the resolution of immediate personal problems. Monitoring of calls is not mandatory; however, when deemed appropriate, a call may be monitored. As used here, monitoring means the presence of a supervisor. With the prisoner's knowledge, the supervisor may be physically present during a telephone conversation, and may listen to the prisoner's side of a non-privileged telephonic communication. Limiting telephone calls or telegrams to emergencies such as a death in the family is not necessary, nor is it conducive to the correction of the offender. Privileged calls are to be verified for the authenticity of the caller but will not be monitored.

b. Telegrams. Telegrams sent to or by prisoners shall be approved on the same basis as telephone calls. They may be sent collect or prepaid by the sender.

21. Prisoner Requests

a. CO shall provide means whereby prisoners may communicate with staff members to request advice and assistance with their problems. DD 510, Request for Interview, shall be made available for prisoner use without restriction.

b. Prisoners are often worried and confused about their personal problems and need advice and assistance. Opportunities to discuss problems with a chaplain, judge advocate, or other person qualified to assist shall be provided. Prisoner shall state the problem or matter at issue, request to be heard at mast, or request an interview with a designated person. Request will be signed by the prisoner and referred to the proper staff member or BRIG O for action or further referral to other proper authority. The DD 510 shall be placed in the prisoner's file showing action taken.

22. CO's Mail Box. CO shall install, in a centrally located place(s), a locked, clearly marked box or boxes readily accessible to all prisoners in which they may deposit individual communications for the immediate attention of the CO. Keys for this box shall be in the possession of an officer not assigned to the confinement facility. Contents of this box shall be removed on a regular schedule and screened by this officer and delivered to the CO. Portable boxes may be used if desired. In

larger confinement facilities where officers serve as department heads, these functions may be performed by a department head or higher.

9302. PRISONER COMMUNICATION COUNCIL. A council may be established to keep lines of communication open between prisoners and staff. This council shall include prisoners of each custody classification and billeting area (except reception and segregation), correctional supervisor, and a counselor. Other members may be added as local need dictates. Prisoner members are to be elected by the prisoners and approved by the programs officer. Conduct and procedures for the council shall be directed per local policy.

9303. PUBLIC INFORMATION. Requests for release of information on the corrections program, confinement facilities, and naval prisoners to the news media shall be forwarded to the local PAO for response per SECNAVINST 5720.44A. Written communications are permitted and subject to article 9301 of this manual.

9304. FINGERPRINTS

1. Confinement facilities shall collect and maintain fingerprints on all pretrial and post-trial prisoners upon arrival for inclusion into the prisoners' records via use of the FBI Fingerprint Card. FBI Fingerprint Cards and Final Disposition Reports (FBI/DOJ Form R-84) shall not be forwarded to the FBI.

2. Submission of FBI Fingerprint Cards and Final Disposition Reports to the FBI, per SECNAVINST 5580.1, is a function of criminal investigative, law enforcement/police and security departments of DON. Collection of fingerprints by confinement facilities serve as a backup set for immediate availability in the event of an emergency.

9305. STANDARD OPERATING PROCEDURES (SOP). SOP and Post Orders shall be written to describe how to perform the major functions of the confinement facility and of each post. These procedures will include administrative, security, and program responsibilities. A complete SOP manual will be maintained at the control center, and individual post orders will be maintained at the specific posts whose functions they describe.

8306. TOBACCO PREVENTION. CO/OIC/CPOIC shall implement a tobacco prevention program per SECNAVINST 5100.13C and DODI 1010.15 of 2 January 2001.

8307. VWAP. All personnel involved in naval corrections under this manual are also governed by the requirements of the VWAP contained in DODD 1030.1 of 13 April 2004, DODI 1030.2 of 23 December 1994, MCO P5800.16A, reference (p), and article 8103.2 of this manual including, but not limited to, the right to be informed about the prisoner's status in confinement, eligibility for parole, parole hearing, escape, transfer, release from custody, and death. Additionally, it is the policy of DOD and DON to enhance the roles of victims and witnesses in the military criminal justice system, to ensure they are treated with sensitivity and respect, and to recognize their needs. Utmost care and compassion will be accorded victims, especially when a victim has been sexually assaulted or is a minor. NAVPERSCOM (PERS-68) and CMC (PSL Corrections) will provide specific guidance for the assistance of crime victims and witnesses.

8308. SEXUAL OFFENDER REGISTRATION PROGRAM. All personnel involved in naval corrections under this manual are also governed by the requirements of the Sexual Offender Registration Program contained in reference (s). NAVPERSCOM (PERS-68) and CMC (PSL Corrections) will provide specific guidance for the assistance of crime victims and witnesses.



CHAPTER 9
SENTENCE COMPUTATION

SECTION 1. POLICY AND DEFINITIONS

9101. POLICY

1. Sentences to confinement adjudged on or after 27 July 2004 shall be computed per the procedures provided in DOD 1325.7-M of 27 Jul 04. This may be done through automated means, but when manually computing a sentence, the expiration tables within DOD 1325.7-M and DD 2710-1, Prisoner Sentence Computation, shall be used.
2. Members whose sentences were adjudged before 27 July 2004 shall be governed by the instructions in place at the time the sentences were adjudged. The particular expiration table used, if applied appropriately, has no impact on the computation of a sentence to confinement. Therefore, the expiration tables provided within DOD 1325.7-M, or their automated equivalent, may be used for sentences adjudged prior to 27 July 2004.

9102. DEFINITIONS

1. Adjusted Maximum Release Date (AMXRD). The AMXRD is computed by taking the Maximum Release Date (MXRD) and adjusting it for administrative credit, judicial credit, inoperative time, and the adjustment for crossing the international date line.
2. Administrative Credit. Day-for-day credit provided on the Report of Results of Trial for pretrial confinement and conditions tantamount to confinement.
3. Calendar Method. A method by which the span of time between two calendar dates is expressed in years, months, and days. For example, the span of time between 4 April 2001, and 11 August 2001, (inclusive of each of those dates) is 4 months and 8 days. The span of time between 2 February 2001, and 1 March 2001, (inclusive of each of those dates) is 1 month.
4. Confinement. Confinement is the physical restraint of a person imposed by order of competent authority, either pending disposition of charges (pretrial) or because of a sentence adjudged by a court-martial. Although not involving physical

restraint, a sentence to confinement may also be served in a parole or mandatory supervised release (MSR) status.

5. Confinement as Nonjudicial Punishment. The physical restraint of a person attached to or embarked in a vessel, imposed by order of competent authority under reference (c) (e.g., confinement to B&W/DIMRATS).
6. Day-for-Day Method. A method by which the span of time between two dates is solely expressed in days. For example, the span of time between 2 February 2001, and 1 March 2001, (inclusive of each of those dates) is 29 days.
7. Deferment. Postponement of the running of the sentence R.C.M. 1101(c), reference (c).
8. Earned Time. Deductions from a prisoner's release date earned for participation and graded effort in the areas of work, offense-related programs, education, self-improvement and personal growth, or other support activity specifically authorized by the correctional facility commander per Military Service policy.
9. Good Conduct Time. A deduction from the AMZRD for faithful observance of all rules and regulations.
10. Inoperative Time. Any period of time during which prisoners are not credited with serving their sentence to confinement.
11. Judicial Credit. Credit ordered by judicial authority to be applied to a sentence to confinement.
12. MSR (Supervised Release). A form of conditional release granted to individuals who have served their sentence to confinement up to their minimum release date (MRD). This form of release is served until the AMZRD unless otherwise revoked or remitted by the Clemency and Parole Board concerned.
13. MZRD. The sentence or sentences to confinement without reductions, but less 1 day for the day of confinement/release. For multiple sentences, each sentence has a specific MZRD.

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14. MRD. AMXRD adjusted for credit or forfeiture of GCT and abatements.
15. Parole. A form of conditional release from confinement when a prisoner is under the guidance and supervision of a U.S. probation officer.
16. Parole Violator Term. Unexpired term of the sentence to be served by a parole violator.
17. Prisoner (Inmate). A person sentenced by a court-martial to confinement or death and ordered into confinement by competent authority, whether or not the sentence has been approved by the convening authority. A person placed into confinement by competent authority pending trial by court-martial is a pretrial prisoner.
18. Reduction of Sentence to Confinement. A reduction of a sentence to confinement reduces the length of the sentence the prisoner is to serve.
19. Remission of Sentence to Confinement. A remission of a sentence cancels the unexecuted part of the sentence to which it applies (i.e., the sentence is remitted).
20. Return to Military Control. The date and hour military members (e.g., prisoners, absentees, or deserters) surrender to, are delivered to, or are apprehended by or for military authorities; or a civilian authority holding the military members for some reason other than at the request of the military informs the military of their availability; or military members otherwise comes under the control of military personnel.
21. Span of Time. The period of time between two specific dates expressed in days (day-for-day method), or years/months/days (calendar method).
22. Street Time Credit. Credit for time served against a sentence to confinement while on parole or MSR determined by the Clemency and Parole Board concerned.
23. Suspension of Sentence. Period during which the suspended part of an approved sentence is not executed reference (c), R.C.M. 1103(a).

precise span of time (in years, months, and days).

26. Vacated Suspension. The unexpired term of the sentence to be served by persons who have violated the conditions of their suspension and have had the suspension vacated.

SECTION 2. GOOD CONDUCT TIME (GCT), EARNED TIME (ET), AND
SPECIAL ACTS ABATEMENT (SAA)

9201. POLICY. GCT, ET, and SAA are the only types of abatement of a sentence to confinement authorized in naval confinement facilities.

1. GCT

a. Eligibility

(1) GCT shall be awarded to each prisoner serving a sentence imposed by a court martial for a definite term of confinement.

(2) Eligibility for GCT shall be consistent with DOD policy on GCT rate of earning at the time a sentence was adjudged.

(3) For prisoners who have an approved finding (e.g., convening authority action) of guilty for an offense that occurred after 1 October 2004, the award of GCT shall be conditioned on the prisoner submitting an acceptable release plan and fully cooperating in all other respects with the mandatory supervision policy per reference (s), if directed to do so.

(4) Pretrial prisoners shall earn GCT for confinement served, but any earned GCT shall not be awarded until a sentence is adjudged and pretrial credit is ascertained.

(5) GCT shall not be awarded to a prisoner who has a life, life without parole, or death sentence. Prisoners with one of these sentences shall earn GCT, but it shall be held in abeyance and awarded only if the sentence is reduced to a determinate length.

(6) Questions regarding eligibility shall be referred to NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

b. Rate of Earning

(1) Because prisoners may fall under different GCT rates, the GCT rates shall be consistent with DOD policy on GCT rate of earning applicable at the time a sentence was adjudged.

(2) Prisoners adjudged prior to 1 January 2005 shall be awarded GCT at the rates specified in reference (s) and SECNAVINST 1640.9B.

(3) For prisoners adjudged on or after 1 January 2005, GCT shall be awarded at a rate of 5 days for each month of confinement, and 1 day for each 6-day portion of a month (see appendix 4 of DOD 1325.7-M), regardless of sentence or multiple sentence length. GCT is directly associated with the sentence to confinement and shall not exceed what the sentence or multiple sentence allows for.

2. ET

a. ET shall only be awarded in applicable component areas when overall evaluations are average (satisfactory) or higher.

b. Prisoners confined in naval confinement facilities shall be subject to the ET rules of the confining facility regardless of the Service affiliation of the prisoner.

c. NAVPERSCOM (PERS-68) or CMC (PSL Corrections) shall ensure that an ET program is available in its confinement facilities and that its programs are, to the maximum extent possible, consistent in content and application with the ET programs in facilities operated by the other Military Services.

d. Confinement facility commanders shall continuously monitor and review their ET program to ensure inflationary

aspects (to include redundant crediting) are addressed, and NAVPERSCOM (PERS-68) or CMC (PSL Corrections) shall periodically audit the ET program to ensure alignment with program objectives.

e. Eligibility

(1) Prisoners serving a sentence imposed by a court-martial for a definite term of confinement are eligible to earn ET.

(2) For prisoners who have an approved finding of guilty for an offense that occurred after 1 October 2004, the award of ET shall be conditioned on the prisoner submitting an acceptable release plan and fully cooperating in all other respects with the mandatory supervision policy of reference (s), if directed to do so.

(3) Pretrial prisoners are ineligible for ET.

(4) A prisoner with a life, life without parole, or death sentence may earn ET, but such abatement shall be held in abeyance and only awarded if the sentence is reduced to a determinate length.

(5) ET may be granted when GCT or ET forfeitures remain outstanding.

f. Rate of Earning

(1) Eligible prisoners may be awarded up to 8 days per month ET for participation and graded effort in authorized component areas.

(2) NAVPERSCOM (PERS-68) or CMC (PSL Corrections) may delegate to confinement facility commanders the authority to determine the activities eligible for ET at the facility and, subject to limitations of article 9201.2g, the rate of earning at which a prisoner may earn ET by participating in those activities. The activities list shall be published and made available to all prisoners.

(3) Prisoners may participate in activities during a given month that make them eligible for more than 8 days ET, but

a maximum of 8 days ET may be awarded per month. Prisoners in a variable GCT earning rate (e.g., subject to GCT rates per reference (s) and SECNAVINST 1640.9B) may earn ET, but the aggregate (GCT plus ET) shall not exceed 13 days per month.

(4) Incremental and proportional rates are authorized when a prisoner engages in an approved activity for a portion of a month.

g. Limitations

(1) When eligible prisoners do not enroll in, progress in, or complete available offense-related or maintenance programs primarily designed to address problems directly associated with their criminal offense or other rehabilitation programs, a maximum of 5 days ET per month may be earned within other components of the ET program. Such non-compliance or lack of progression shall be fully documented in the prisoner record and annotated on NAVPERS 1640/25 (07/04), Earned Time and Special Acts Abatement Worksheet, to preclude higher earnings of ET. This limitation does not apply to prisoners on a waiting list for an offense-related or maintenance program, but no ET may be awarded for that program until the prisoners are actually participating in the program.

(2) A maximum of 5 days ET per month may be awarded within the work component of the ET program.

(3) ET shall not be awarded within 30 days of the scheduled MRD from confinement.

h. Administration

(1) ET shall be recorded separately from GCT. The confinement facility commander shall maintain a record of ET for each prisoner. To the largest extent possible, such record shall be populated within the CORMIS or its automated equivalent.

(2) Responsibility for documenting and tracking individual hours and activities needed to earn ET in the component areas of education, self-improvement and personal growth, and support activities is borne by the prisoner. Confinement facility commanders shall provide prisoners with,

DD 2719 (Nov 99), Continuation Sheet, in order for prisoners to document and track hours and activities. Prisoners shall have individual entries validated by applicable staff members as activities are completed. When accumulated hours and activities accrue ET, the prisoner shall forward their request for ET by means of DD 510 (Sep 01), Request for Interview, with supporting documentation, to the ET/SAA Board via their unit manager or counselor. The unit manager or counselor shall review the continuation sheet and supporting documentation and where ET is warranted, validate by signature and date all completed hours and activities, and forward the document to the ET/SAA Board. Care should be taken by staff to ensure the integrity of the program is maintained.

(3) When calculating a prisoner's MRD at the beginning of a prisoner's sentence to confinement, the confinement facility commander shall not consider ET that could be earned during the sentence.

(4) A formal ET/SAA board comprised of at least three members shall be appointed in writing by the confinement facility commander. At Naval Consolidated Brig, members can be unit staff but the board shall not be identical to the unit team; it shall be a distinct group. Recommendations for award of ET made by the board, via use of NAVPERS 1640/25 (07-04), Earned Time and Special Acts Abatement Worksheet, shall be approved or denied by the confinement facility commander in full or in part.

(5) ET shall be awarded, within authorized limits, through evaluation of the separate ET program components. ET awarded for each component shall be documented on NAVPERS 1640/25 (07-04), Earned Time and Special Acts Abatement Worksheet, or its automated equivalent, at monthly intervals, and shall reduce a prisoner's release date on a day-for-day basis. Prisoners shall be counseled on their performance during the review period and informed on ET awarded once decided by the confinement facility commander. Appeals to evaluations shall follow normal internal prisoner grievance procedures.

(1) Components

(1) Work. A maximum of 5 days ET per month may be awarded within the work component of the ET program. All

prisoners in naval confinement facilities, unless precluded from doing so because of a disciplinary, medical, or other reason determined appropriate by the confinement facility commander, shall engage in useful employment under appropriate supervision. Prisoner records shall clearly indicate all occasions where prisoners are not in a work status, to include rationale and inclusive dates.

(a) Prisoners shall be employed in maintenance, support, and vocational training activities that provide work of a useful, constructive nature, consistent with their custody grade, physical and mental condition, behavior, confining offense, sentence status, previous training, individual confinement requirements, and installation/facility needs.

(b) Prisoners, when not engaged in prescribed training, counseling, plan of the day, and other place of duty activities, shall perform full 8-hour days of useful, constructive work and a standard 40-hour workweek. This restriction does not limit the authority of confinement facility commanders to direct extra work during emergencies, prevent the assignment of prisoners to details that normally encompass weekends, or prevent prisoners from volunteering for extra work.

(c) Reception, orientation, prerelease processing, plan of the day, and place of duty activities qualify as work.

(d) Prisoners shall work a minimum of 40 hours each week to receive ET for work unless the facility commander determines the failure to complete 40 hours was due to factors outside the prisoner's control. Up to 8 hours of offense-related programs per week can count towards the 40-hour workweek.

(e) ET granted for work shall be based on work performance and continuous employment.

(1) Performance. DD 2712 (Nov 99), Inmate Work and Training Evaluation, shall be used for evaluating and documenting prisoner work performance. Evaluations shall be completed at least monthly (normally the first working day of the month) by the quarters supervisor (section 1) and work supervisor (sections 1 and 2) for all prisoners under their supervision during the previous month. It is recognized that

some prisoners may have multiple reports due to job change assignments. All evaluations shall subsequently be forwarded to the ET/SAA Board. The evaluation shall reflect an accurate assessment of prisoner performance of assigned duties against an understood set of requirements. Preventing inflation is critical and reports shall be based upon performance vice sociability. Evaluators must provide fair and thorough evaluations and reviewing authorities must take an active role in mentoring and communicating the spirit and intent of the evaluation system. The work and training evaluation is not a disciplinary tool, a lever to exert influence, or a counseling document. Confinement facility commanders must ensure the integrity of the system by close attention to accurate marking and timely reporting. Every evaluator and reviewing official serves a role in the scrupulous maintenance of the evaluation system, ultimately important to the individual prisoner and corrections program. Inflationary markings only serve to dilute the actual value of each report, rendering the evaluation report ineffective. Reviewing officials shall not concur with inflated reports. Generally, the majority of prisoner work performance is average.

(2) Continuous Employment. Employment is considered continuous unless for valid cause and specifically approved for interruption by the confinement facility commander. Continuous employment is defined by time not assignment, thus, credit is granted by number of continuous full months worked regardless of the number of job assignments held. All continuous employment date disruptions shall be fully documented in the prisoner file and annotate the beginning date of the new period.

(3) Earning Rate. Where overall level of work is documented to be at least "average" during the entire reporting period ET shall be awarded at the below rates per month unless "bumped up or down" by the confinement facility commander for cause.

<u>Level</u>	<u>Continuous Employment</u>	<u>Earning Rate</u>
1	0 to 6 months	1 day per month
2	7 to 12 months	2 days per month
3	13 to 18 months	3 days per month

<u>Level</u>	<u>Continuous Employment</u>	<u>Earning Rate</u>
4	19 to 24 months	4 days per month
5	25 or more	5 days per month

(f) Waiver. When an individual prisoner is recommended by the work supervisor and concurred by reviewing authority and the ET/SAA Board, the confinement facility commander may increase (by one step) or decrease the employment earning level (by multiple steps) for consistent outstanding or poor work performance. All increases and decreases must be fully documented within the prisoner file, annotating rationale and dates.

(g) The ET/SAA Board will take into consideration the actual number of hours worked by an individual when determining the actual number of days to be granted. For example, an individual would generally receive full credit for work if only a limited number of work hours were lost due to a medical appointment; however, if there were extended work absences due to illness the number of ET days awarded could be reduced.

(h) Special Quarters. If an individual's behavior or facility's security concern makes them unavailable for work assignment then credit for work shall not be granted. If it is not within an individual's control (for example, medical segregation) then the individual could receive ET for work.

(2) Offense-Related or Other Rehabilitation Programs. A maximum of 2 days ET per month may be awarded within the offense-related or other rehabilitation programs component of the ET program, to include maintenance. Prisoners may be awarded up to 2 days ET for participation in intensive treatment programs. These programs are highly structured, comprehensive, and standardized treatment programs. Examples of such programs include: Sex Offender Treatment Program, Violent Offender Treatment Program, Substance Abuse Treatment Program, Women in Recovery Program, and Dialectical Behavior Therapy Program. One day ET may be awarded for all other offense-related or other rehabilitation programs. These include programs such as Sex Offender Education, Substance Abuse Education, Crossroads, Victim Impact, Options, or Core Modules. A listing of all

offense-related or other rehabilitation programs from each brig shall be sent to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) by confinement facility commanders with recommended number of ET days. The brig shall maintain an authorized list and provide such access to all prisoners. Prior to new program implementation or significant modification of a current program, the confinement facility commander shall submit a recommendation to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) on the number of ET days that should be granted per month. Approval for authorized number of ET days must be received by NAVPERSCOM (PERS-68) or CMC (PSL Corrections) prior to program implementation. One or 2 days ET per month can be awarded for individual therapy. The number of days per month granted is determined by the number of sessions and outside work required by the individual as recommended by the clinician/social worker/designee and approved by the clinical services director/programs officer/designee. To the maximum extent possible, ET programs shall address problems associated with a prisoner's criminal activity or behavior.

(3) Education. A maximum of 2 days ET per month may be awarded within the education component of the ET program. Prisoners may receive ET while pursuing formal education objectives, including but not limited to, completion of vocational education sequences, general equivalency degrees, or post-secondary degrees or credits when the institution awarding the certificate, license, diploma, degree, or credits to the prisoners have been accredited by an accrediting agency recognized by the U.S. Department of Education.

(a) Participation in non-traditional sources of educational credit (e.g., CLEP, DANTES, ACT, and military education) where such credits are recognized by the U.S. Department of Education or American Council on Education (ACE) may qualify for award of ET.

(b) Time spent obtaining a certificate, license, diploma, degree, or post-secondary credits shall generally be in addition to the normal workweek for which ET for work can be earned, unless such coursework is related to vocational training and education.

(c) ET may be awarded only for coursework performed by correspondence, classroom attendance, or participation in vocational training and education earned while in confinement.

(d) Once a prisoner achieves an education objective, additional ET shall not be awarded for that objective.

(e) Limitations

(1) ET shall generally be awarded upon documented completion of the educational objective.

(2) For factoring purposes, completion of 3 semester hours (or it's equivalent) may be associated with 1 day of ET.

(4) Self-Improvement and Personal Growth. A maximum of 2 days ET per month may be awarded within the self-improvement and personal growth component of the ET program. Prisoners may receive ET by participating in self-improvement and personal growth programs that have been pre-authorized by the confinement facility commander or designee. Generally, 1 day of ET should be associated for each documented 20 hours of creditable participation and satisfactory evaluation. Examples of self-improvement and personal growth programs include, but are not limited to, Alcoholics Anonymous, Narcotics Anonymous, CREDO, Fleet and Family Support Center classes, parenting classes, PREVENT, Toastmasters, etc. Generally, these programs are held outside duty hours. Religious programming does not qualify for ET.

(5) Support Activities. A maximum of 1 day ET per month may be awarded within the support activities component. Where pre-authorized by the confinement facility commander or designee, prisoners may receive ET by participating in support activities, to include community service programs, special projects and work assignments supportive of institutional goals or missions, volunteer work, and work encompassing weekends and holidays, and for extraordinary achievements that do not rise to the level of those for which special acts abatement may be awarded. Examples include making toys for tots (if after duty hours), knitting baby blankets, volunteer weekend work (cleaning up the veteran's cemetery), dog training, etc. Generally, 1 day of ET should be associated for each documented 40 hours of creditable participation and satisfactory evaluation.

3. SAA. SAA is a deduction from a prisoner's release date earned for a specific act of heroism, humanitarianism, or extraordinary institutional or community support deemed appropriate by the confinement facility commander.

a. Eligibility

(1) Prisoners serving a sentence imposed by a court-martial for a definite term of confinement are eligible for SAA.

(2) For prisoners who have an approved finding of guilty for an offense that occurred after 1 October 2004, the award of SAA shall be conditioned on the prisoners submitting an acceptable release plan and fully cooperating in all other respects with the mandatory supervision policy of reference (c), if directed to do so.

(3) Pretrial prisoners are not eligible for SAA.

(4) A prisoner with a life, life without parole, or death sentence may earn SAA, but such abatement shall be held in abeyance and only awarded if the sentence is reduced to a determinate sentence length.

b. Rate of Earning. The confinement facility commander may authorize a maximum of 2 days of SAA per month for a period not to exceed 12 months for a single special act. At no time shall a prisoner receive more than 2 days of SAA per month; additional special acts may only extend the period of abatement, not the rate of earning.

c. Administration. SAA shall reduce a prisoner's normal release date on a day-for-day basis as earned.

4. Monthly Limit on Total of All Types of Abatement. The total of GCT and ET awarded for any 1 month shall not exceed 13 days, 15 days when SAA is awarded.

SECTION 3. PRISONER ACKNOWLEDGEMENT OF CONDITIONAL AWARD OF ABATEMENTS

9301. PRISONER ACKNOWLEDGEMENT OF CONDITIONAL AWARD OF ABATEMENTS

1. Prisoners who have an approved finding of guilty for an offense that occurred after 1 October 2004 shall acknowledge in writing during facility in-processing the award of GCT, ET, or SAA is conditioned on the prisoner submitting an acceptable release plan and fully cooperating in all other respects with the mandatory supervision policy of reference (d), if directed to do so. The acknowledgement shall also state that if the confinement facility commander determines that this condition has not been met, deductions from the prisoner's release date for conditionally awarded GCT, ET, or SAA shall be voided.

2. The release date of a prisoner who has an approved finding of guilty for an offense that occurred after 1 October 2004 shall not be reduced for GCT, ET, or SAA until the prisoner executes the acknowledgment required by subparagraph 4e, above.

SECTION 4. FORFEITURE AND RESTORATION OF ABATEMENTS

9401. FORFEITURE AND RESTORATION OF ABATEMENTS. Forfeiture and Restoration of Abatements. As a consequence of violations of institutional rules or the Uniform Code of Military Justice, a confinement facility commander may direct that a prisoner forfeit GCT, ET, and SAA that has been conditionally awarded.

1. Forfeiture

a. Confinement facilities shall use a Discipline and Adjustment Board for forfeitures.

b. Only abatement that has actually been earned before or on the date of a violation is subject to forfeiture. GCT subtracted from a prisoner's release date per subparagraph 4a(3)(b) above, but not yet earned, is not subject to forfeiture.

c. Generally, ET and SAA should be considered as "vested". In cases that warrant significant forfeitures, GCT will be forfeited prior to ET, and ET will be forfeited prior to SAA.

d. Sentences that have expired with allowance for GCT, ET, and SAA may not be revived for the purpose of forfeiting GCT, ET, and SAA earned thereon.

e. Earned GCT for pretrial prisoners is subject to forfeiture in the same manner as post-trial prisoners, but forfeitures shall be held in abeyance until the sentence to confinement begins.

2. Restoration. Forfeited GCT, ET, and SAA may be reinstated at the discretion of the confinement facility commander.

SECTION 5. TRAINING

9501. TRAINING. Confinement facility commanders shall ensure all staff and prisoners are fully aware of the GCT, ET, and SAA programs, as well as changes to sentence computation procedures.

1. Instructions concerning the elements of GCT, ET, and SAA programs, as well as prisoner opportunities and responsibilities, shall be thoroughly explained in the reception phase.

2. Orientation of GCT, ET, and SAA programs shall be included in pre-service/in-service training and annually thereafter for all staff personnel.

SECTION 6. VICTIM WITNESS ASSISTANCE PROGRAM

9601. VICTIM WITNESS ASSISTANCE PROGRAM. DODI 1030.2 of 4 June 2004 and reference (f) require notification of victims and witnesses by using DD 2705 (Dec 94), Victim/Witness Notification of Inmate Status. This form is used to advise victims and witnesses of all release and release-related activities, transfers, and escapes. All correspondence shall be sent Certified Mail, Return Receipt Requested. The receipt shall be filed in the Victim and Witness Notification Record. If any Certified Mail is returned, the confinement facility victim witness coordinator (VWC) shall attempt to telephone the individual.

1. Initial Contact. Acknowledgement of Request to Participate, shall be sent to victims and witnesses within 10-working days of receipt of DD 2704 (Mar 99), Victim/Witness Certification and Election Concerning Inmate Status. A completed DD 2705 (section I; section II, block 3, 4, 5 and 6; section III 8.a and 8.b; and section V) shall be included with the initial enrollment letter. Enclosure (9) provides victims and witnesses with information

that the prisoner's release date is subject to monthly change with the accrual of GCT, ET, and SAA.

2. Release. When a finalized release date is ascertained (normally within the last 30 days as ET shall not be awarded within 30 days of the scheduled release date from confinement), the confinement facility VWC shall notify victims/witnesses of the prisoner's release date. Using DD 2705 (Dec 94), Victim/Witness Notification of Inmate Status, provide the date, reason for release, and destination (city and State). Notification should be made as soon as release is scheduled. Telephone contact shall be made when the prisoner is unexpectedly released and DD 2705 will not be received by the victim or witness prior to the prisoner's release.



CHAPTER 10
MISCELLANEOUS SERVICES

SECTION 1. MEDICAL SERVICES

10101. MEDICAL OFFICER. CO/OIC/CPOIC shall request the written appointment of a medical officer, who will assure that daily sick call, physical examinations, referral for dental care, and screening for psychiatric referral are conducted at the confinement facility per Manual of the Medical Department. This person will advise the CO/OIC/CPOIC in matters pertaining to the physical condition and well being of both prisoners and staff. Evidence of unsanitary or unhealthy conditions must be reported promptly to the CO/OIC/CPOIC. B&W/DIMRATS or special diet shall not be imposed as a disciplinary measure unless the medical officers have certified, in writing, that in their opinion, this will not result in any serious deterioration of the prisoner's health. Medical personnel shall provide a daily re-evaluation of the prisoner's fitness to continue segregation or special diet, and medical personnel making segregation visits for this purpose shall sign DD 509, Inspection Record of Prisoner in Segregation, kept in the segregation unit.

10102. MEDICATION. Only medical personnel shall administer controlled substances and medication for prisoners. Confinement facility staff members, when trained by medical personnel, may administer prisoner medication, other than controlled substances, after working hours, as directed by medical personnel. If staff members administer such medication they will ensure the medication is consumed by the prisoner. The staff member shall maintain a Medication Administration Record as provided and reviewed by a corpsman daily.

10103. PARAMEDICAL PERSONNEL. Paramedical personnel (hospital corpsmen) may conduct routine sick call; and shall refer to a medical officer patients beyond their competence/authority and patients specifically requesting to be seen by a medical officer. They shall also make follow-up care visits at the direction of a medical officer. Paramedical personnel may perform the initial confinement examination under certain circumstances (see article 7205). Paramedical personnel shall be assigned to full-time duty in confinement facilities large enough to justify such an assignment.

10104. HUMAN IMMUNODEFICIENCY VIRUS (HIV)/ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

1. HIV and AIDS positive cases are relatively rare occurrences in naval brig, though where present are medical issues with security ramifications. Staff should not make moral judgments regarding HIV-positive individuals. As such, correctional management of the HIV will be a three-level effort: information and training, screening, and management of actual/suspected cases.

2. SECNAVINST 5300.30C establishes DON policy on identification, surveillance, and administration of military members infected with HIV, and is applicable within the Navy corrections program.

3. Guidelines

a. Prisoners known or subsequently found to be HIV-positive may be housed in naval brig. If inadequate medical care is available, the Brig CO/OIC/CPOIC may request transfer to another corrections facility where treatment may be more readily available.

b. Staff should respond to prisoner emergencies and other duties where contact with bodily fluids is a possibility with the assumption that all bodily fluids are contaminated. As required in article 3503, staff will receive annual training in bloodborne/airborne pathogens.

c. Asymptomatic HIV-positive prisoners will be housed with the general population. Prisoners may be moved to administrative segregation if they demonstrate at risk behaviors that could reasonably lead to the transmission of the HIV virus (e.g., assaultive behaviors, sharing of razorblades, etc.)

d. Medical information relevant to HIV status shall be limited to the CO/OIC/CPOIC, brig medical staff, and the XO/OIC/technical director/security officer. The decision to notify other individuals will be made only by the CO/OIC/CPOIC after consultation with medical staff and only when the individual has a legitimate need to know. This decision should be based on an evaluation of a prisoner's behavior and the risks the infected prisoner poses of exposing other persons to their

body fluids. Where applicable, prior to a prisoner's release, medical information shall be shared with the United States Probation Officer for purposes of post-release management and access to care. Release of all information shall be per the Privacy Act of 1974 and per the Health Insurance Portability and Accountability Act (HIPAA). Parties, with whom confidential medical information regarding another individual is communicated, shall not share this information, by any means, with any other person. Medical information may be communicated among medical staff directly concerned with a patient's case in the course of their professional duties.

e. Prisoners who refuse clinically indicated diagnostic procedures and evaluations for infectious and communicable diseases shall be subject to isolation or quarantine from the general population until such time as they are assessed to be non-communicable or the brig medical officer determines the prisoners pose no health threat if returned to the general population.

f. The brig medical officer shall assess any prisoners with an infectious disease for appropriateness for duties and housing.

4. None of the procedures or guidelines of this policy are meant to limit or override the exercise of sound medical judgment on the part of the physician responsible for medical care. Each case shall be evaluated on its own merits and individual circumstances.

10105. HEALTH/DENTAL RECORDS. Confinement facility shall maintain the health and dental records of all prisoners. These records will be placed under the supervision of the brig medical officer.

1. Health and dental records of prisoners shall be maintained per chapter 16 of reference (1).

2. Health record shall accompany the prisoner if admission to the hospital is required.

3. Health or dental record shall accompany the prisoner whenever the prisoner has an outpatient or dental appointment.

4. Health or dental record shall be handled only by the escort in order to ensure documented care is not removed from the records.

10106. MENTAL HEALTH EVALUATIONS

1. DODD 6490.1 of 1 October 1997, as implemented by DODI 6490.4 of 28 August 1997.

a. Assigns responsibility and prescribes procedures for the referral, evaluation, treatment, and administrative management of servicemembers who may require mental health evaluation, psychiatric hospitalization/assessment of risk for potentially dangerous behavior.

b. Establishes procedures to protect the rights of servicemembers referred by COs for mental health evaluations, including whistleblower protections.

c. Establishes procedures for psychiatric hospitalization of active duty servicemembers.

d. Provides guidance to mental healthcare providers and COs about evaluations, treatment, and recommendations for administrative management of servicemembers referred for mental health evaluations who may suffer from serious mental disorders and who may be imminently or potentially dangerous.

2. Prior to referral of a prisoner for a routine (non-emergency) mental health evaluation, CO/OIC/CPOIC shall consult with a mental healthcare provider or other health care provider if a mental health care provider is not available.

10107. BLOOD DONATIONS. It is BUMED policy Navy blood centers not accept prisoners' blood. Therefore, confinement facilities shall not hold organized blood drives that involve prisoner participation.

SECTION 2. SUPPORT SERVICES

10201. MESS DECK OPERATIONS

1. Security Measures. Prisoners may be used as mess personnel under the mess supervisor's direction. Mess deck is a critical

area of operation as it applies to the security and morale of staff and prisoners alike. Sanitation of the mess deck must be monitored by medical department personnel. Food service/sanitation standards are prescribed in NAVMED P5010-1, Manual of Naval Preventive Medicine, and must be strictly adhered to. A staff member shall be assigned to supervise the mess deck operation and monitor the quality and quantity of food served. Larger confinement facilities may have internal food preparation areas which greatly aid overall efficiency but which require additional security measures. In all cases, care must be taken in the accountability of silverware and other kitchen utensils which may be used as weapons. If food is to be brought in from external areas, precautions must be taken to ensure the food is kept warm and is properly served. Food served in the facility dining area shall be of the same quality and quantity as that served in the base or station dining facilities. Prisoners shall be allowed sufficient time to eat their meals (not less than 20 minutes) in a normal manner and with the proper utensils. Control of utensils can be achieved by requiring prisoners to take one of each and return them all, under the supervision of duty personnel, as they enter and leave the messing area. Prisoners shall be permitted to talk in normal conversational tones to persons at their table during their meals, and at all other times and places where not prohibited by military custom. Prisoners in disciplinary segregation shall be fed in their cells and may be required to use disposable plates, cups, and utensils. Security measures for prisoners in special quarters will be determined by the CO/OIC/CPOIC. All utensils used in segregation shall be accounted for.

2. Refusal of Food. The Brig CO/OIC/CPOIC is responsible to monitor the health and welfare of individual prisoners, and to ensure procedures are followed that minimize the chance of prisoner self-inducing grievous harm as a result of a hunger/drinking strike.

a. Definition

(1) Prisoners are on a hunger strike when

(a) they communicate that fact to staff and are observed by staff to be refraining from eating for a period in excess of 72 hours (nine meals).

(b) staff observe the prisoner(s) to be refraining from eating for a period in excess of 72 hours (nine meals).

(2) Prisoners are on a drinking strike when:

(a) They communicate that fact to staff and are observed by staff to be refraining from drinking for a period in excess of 48 hours.

(b) Staff observe the prisoner(s) to be refraining from drinking for a period in excess of 48 hours.

b. Referral

(1) Staff shall refer the prisoner observed to be on a hunger/drinking strike to a medical officer for evaluation and, when appropriate, for treatment.

(2) When staff considers it prudent to do so, a referral for medical evaluation may be made without waiting 72/48 hours. A hunger/drinking strike may be announced by the prisoner, or observed by staff. At times, an allegation of a hunger/drinking strike will be made that is not reflected by any overt action, and is merely a bid to gain attention. Prisoners with metabolic or certain other illnesses, who deviate from normal eating habits or intake of fluid, could experience an immediate, adverse physiological or psychological reaction. For other prisoners, a deviation from normal eating or drinking habits may represent a manifestation of a mental disorder. In any case, it is recognized that after long-term deprivation of food and shorter-term deprivation of fluids, serious irreversible changes or even sudden death may occur.

(3) When considered medically appropriate, the brig medical staff shall recommend the prisoner be transferred to a medical treatment facility (MTF) for inpatient admission in a locked hospital ward or other medically appropriate secure room when available depending on custody. The decision to admit a prisoner to an inpatient status shall be made by a health care practitioner with admission privileges at the MTF. Indications for hospitalization during fasting include but are not limited to: more than 10 percent weight loss, elevated heart rate, edema, increasing blood urea nitrogen and decreased mental status. BRIG O or security personnel while in the MTF shall

maintain the prisoner under close observation. Prisoners in administrative or disciplinary segregation may be retained in their respective housing units unless the medical staff determines movement to other quarters is medically necessary.

c. Reporting. NAVPERSCOM (PERS-69)) or CMC (PSL Corrections) is to be alerted immediately of any hunger/drinking strike, and shall be kept continually advised.

d. Liquid/Food and Input/Output

(1) Staff shall provide and deliver to the prisoner's cell, three meals a day or as otherwise authorized by the brig medical officer. A verbal offer of a meal shall not suffice.

(2) Staff shall provide the prisoner an adequate supply of drinking water. Other beverages shall also be offered.

(3) A prisoner under hunger/drinking strike management may purchase normal health and comfort items, such as stamps, etc., depending on custody status.

(4) If ordered by the brig medical officer, all food and water to be given to the prisoner and any intake by the prisoner shall be measured and recorded for subsequent evaluation. All output shall be measured and recorded, to the extent possible. These procedures shall continue until terminated by the brig medical officer or transfer to the MTF.

e. Initial Medical Evaluations and Management

(1) Medical staff shall perform the following minimum procedures upon initial referral of a prisoner on hunger/drinking strike:

(a) An intake history.

(b) A general physical examination, which should include:

(1) Height and weight measurements.

(2) Vital signs.

(3) Urinalysis.

(4) A complete blood count, blood chemistry tests and other tests as indicated by medical evaluation.

(5) A mental status examination.

(2) Medical staff shall take and record weight and vital signs at least once every 24 hours while the prisoner is on a hunger/drinking strike. Other procedures identified in paragraph 6a shall be repeated as medically indicated.

(3) When a valid medical reason exists, medical staff may modify, discontinue, or expand any of the medical procedures described in paragraphs 6a and 6b.

(4) When a prisoner on a hunger/drinking strike is transferred to a MTF, security shall be maintained.

(5) Medical staff shall record, in the appropriate section of the prisoner's medical file, entries for all medical procedures described in this section.

f. Refusal to Accept Treatment

(1) When the brig medical officer determines that the prisoner's life or permanent health will be threatened if treatment is not initiated immediately, the brig medical officer shall give consideration to forced medical treatment of the prisoner. The decision to force treatment upon the prisoner is a medical decision with legal implications. The brig medical officer must be convinced, to a reasonable medical certainty, that the life or permanent health and well being of the prisoner is immediately threatened.

(2) When it appears to medical staff that the situation is deteriorating to the extent that intervention may become unavoidable, the case shall be referred to an appropriate staff judge advocate for advice.

(3) Prior to medical treatment being administered against the prisoner's will, the brig medical officer shall take reasonable steps to obtain informed consent for treatment. Medical/health risks faced by the prisoner, if treatment is not

accepted, shall also be explained. Discussion should include the risks, benefits, and alternatives to therapy, be documented in detail in the prisoner's medical records, and be signed by the prisoner or a witness. A chaplain/mental health professional may be needed during this process.

(4) When, after reasonable efforts to obtain the prisoner's consent fails or if an emergency prevents efforts to obtain the prisoner's consent, and a medical necessity for immediate treatment of a life or health-threatening situation exists, the medical officer may order that treatment be administered without the consent of the prisoner.

(a) Treatment efforts shall be documented in the medical record of the prisoner. The CO/OIC/CPOIC shall provide prompt notification to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) of any forced treatment, with a full explanation of the background and reasons for the treatment. Written follow-up reports of such treatment shall be submitted to NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Forced treatment must be cleared through the staff judge advocate unless precluded by medical emergency.

(b) Only the brig medical officer may order forced medical treatment once legal consent obtained, unless precluded by medical emergency.

(5) Medical staff shall normally continue clinical and laboratory monitoring, as necessary, until the prisoner's life or health is no longer threatened. Treatment shall normally continue until adequate oral intake of food and liquid is achieved.

(6) Medical/clinical staff shall continue medical, psychiatric/psychological follow-up as long as necessary.

g. Release from Treatment. Only the medical officer may order a prisoner be released from hunger/drinking strike intervention and treatment. This order shall be documented in the prisoner's medical record.

10202. LAUNDRY OPERATIONS. All facilities will ensure adequate means of washing prisoners' clothes are provided. Laundering of sheets, pillowcases, and dry cleaning of blankets will be

accomplished by the confinement facility or at a command laundry facility. Sheets, pillow cases, towels, and face cloths will be laundered at least once a week. Soiled blankets will be laundered as necessary. At no time is the use of prisoner laundering facilities, located within a confinement facility, authorized for use by staff members or other private individuals or organizations without specific authorization of the CO/OIC/CPOIC. General laundry work done for other military units is authorized, providing it does not include laundry for individuals, and does not hamper the normal operations of the facility. A staff member trained in the use of laundry equipment, shall be assigned to supervise this operation.

10203. BARBER SHOP OPERATIONS

1. Barber services shall be provided by the confinement facility. Prisoners in a non-pay status shall be funded from the confinement facility's operating budget, unless the haircut is provided by a staff or prisoner barber, as outlined below. Prisoners in a pay status will normally receive and pay for haircuts by debit to their pay account; however, in all cases, haircuts provided by staff or prisoner barbers shall be at no cost to the prisoner.
2. Military barbers (staff and prisoners) are authorized to cut prisoners hair if trained and certified. To be considered trained and certified, military barbers shall have completed the appropriate military training required for assignment of the respective military service specialty code. Civilian barbers are authorized to cut prisoners hair provided they are licensed, or certified through a formal barber school, according to State or territorial law.
3. Prisoner barbers undergoing training must work under direct supervision of a qualified barber (civilian or military).
4. Barbershops located within a facility shall meet all sanitation requirements directed by medical regulations.
5. Confinement facility shall maintain a file of current licenses and certificates of military barbers.

10204. LIBRARY SERVICES. Confinement facility library is a branch of the installation library.

1. Availability. Library services shall be available within the confinement facility as part of the total program. These services shall provide an opportunity for education, information, and recreation. Library shall be readily accessible and provide a selection of up-to-date material. Close coordination shall be maintained with the installation library which has the responsibility for all facilities and personnel of the command. Prisoners shall be permitted to have approved reading material in their living quarters. Prisoners shall have access to legal material.

2. Materials. Newspapers and periodicals shall be a regular part of the library program and included in the budget of the confinement facility. If not part of the confinement facility budget, newspapers and periodicals shall be provided by the installation library as part of the library program. Naval General Library Manual (NOTAL) can offer pertinent information regarding library services.



CHAPTER 11
SHIPS' BRIGS

SECTION 1. POLICIES

11101. LIMITATIONS. A ship's limitations in space, available personnel, and program resources require the selected application of the provisions of this manual. Following articles are provided to clarify the requirements as they apply to ships' brig. With the exception of the clarification presented in this chapter, articles of this manual will be applied to ships' brig. Afloat confinement facilities are often operated by CV's, CVN's, LHA's, and LHD's, and may be operated by tenders with facilities when in a port where there is no ashore confinement facility and the Fleet Commanders have authorized the brig for operation. Other ships may be specifically designated by the Fleet Commanders to operate a brig. Detailed policy is contained in reference (h).

11102. PHYSICAL PLANT. Cells in ships' brig are not required to conform to the size specified for cells in shore confinement facilities. See article 2101.2 of this manual for structural standards prescribed for ships' brig.

11103. STAFF

1. Staffing. All ships required to operate brig (see 11101 above) shall be assigned five billets with Navy Enlisted Classification Code (NEC) 9575 or NEC 2008 and one billet with NEC 9516. Ships not required to operate a brig but which, in consideration of isolated operations, are given specific authorization by the Fleet Commanders to operate the ERIG On deployment, must have at least three persons on board assigned to the brig who possess NEC 9575 or NEC 2008, and one person on board assigned to the ERIG On a collateral duty basis who possesses NEC 9516. These personnel will be augmented by other qualified ship's company personnel. For selection and assignment criteria, see articles 3102 and 3103 of this manual. A minimum of two staff members, one of which must possess the 9575 or 2008 NEC, will be on duty in the brig at all times when prisoners are confined.

2. Training. All assigned staff shall complete Afloat Brig Training Course number A-831-0003 prior to assumption of any unsupervised brig watch duties. Echelon 2/3 command or NAVPERSCOM (PERS-68) may be contacted for class schedules.

3. Conflicting assignments. Conflicting assignments shall be avoided. Examples include assigning the BRIG O billet as a collateral duty for staff JAG officers or ship security officers. Other security force personnel may be assigned brig duty provided no other law enforcement-related duties are also assigned. Article 3103.2 of this manual refers.

11104. EMERGENCY BILLS. Brig emergency bills will incorporate the ship's "Man Overboard" and "Abandon Ship" bills.

11105. PROGRAMS. An extensive correctional program is not required; however, prisoners shall work, except B&W prisoners will remain in their cells. Other programs, such as PT, military drill, and counseling shall be provided.

11106. RECORDS AND REPORTS

1. Log. Brig log in most ships' brigs is sufficient to account for prisoner movement. Other accountability systems or logs required in article 8104 of this manual may be incorporated in the brig log.

2. Confinement and Release Records. DD 2707, Confinement Order, and DD 2718, Inmate's Release Order, shall be used.

3. Prisoner File. A prisoner file shall be maintained on all prisoners confined in a ship's brig. At a minimum, this file will contain DD 2707, DD 2718, Inmate Background Summary, except for B&W, DD 2714, Inmate Disciplinary Report, DD 509, Inspection Report of Prisoner in Segregation, and DD 2718, Inmate's Release Order. This file shall be retained in the brig.

11107. ADMINISTRATIVE MATTERS

1. Funds and Valuables. Prisoner funds and valuables shall be deposited with the disbursing officer. Procedures for such action shall be specified in the brig standard operating procedures and be per reference (h).

2. Personal Property. Prisoner personal property in the brig shall be limited to essential items. All other personal property shall be inventoried and secured by the prisoner's division officer until release from confinement.

SECTION 2. CONFINEMENT POLICIES

11201. CONFINEMENT OF MALES/FEMALES. Persons of either sex may be confined in a ship's brig as long as the conditions of article 7103.2 of this manual are followed.

11202. USE OF SHIP'S BRIG WHILE IN PORT. Ship's personnel may be confined in the ship's brig while in port as long as the time constraints are observed (see article 7104.3).

11203. DETENTION OF PRISONERS OF WAR (POW), CIVILIAN INTERNEES (CI), AND OTHER DETAINED PERSONS (DET) ABOARD NAVAL VESSELS

1. Background

a. International law requires humane treatment of POWs, CIs, and DETs at all times.

b. International treaty law expressly prohibits "internment" of POWs other than in premises located on land, but does not specifically address temporary stays on board vessels. Customary practice has allowed temporary custody as discussed below. Although internment is not defined, prohibition on internment requires policy carefully limiting detention of POW/CI/DET on board vessels.

2. Policy

a. Detention of POW/CI/DET on board naval vessels will be limited as follows:

(1) POW/CI/DETs picked up at sea may be temporarily held on board as operational needs dictate, pending a reasonable opportunity to transfer them to a shore facility or to another vessel for evacuation to a shore facility.

(2) POW/CI/DETs may be temporarily held on board naval vessels while being transported between land facilities.

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(3) POW/CI/DETs may be temporarily held on board naval vessels if such detention would appreciably improve the safety or health prospects for the POW/CI/DETs.

b. Holding of POW/CI/DETs on board vessels must be truly temporary, limited to the minimum period necessary to evacuate the POW/CI/DETs from the combat zone or to avoid the significant harm the POW/CI/DET would face if detained on land.

c. Use of immobilized vessels for temporary holding of POW/CI/DETs is not authorized without national command authority approval.

CHAPTER 12
DETENTION FACILITIES

SECTION 1. POLICIES

12101. LIMITATIONS

1. Detention facilities are shore spaces that are used only to temporarily detain personnel apprehended by military authorities, or turned over to the military by civilian authorities. Authority to arrest/confine is listed in article 7201. Personnel should be detained/confined in detention cells only for short periods of time and should be transferred to the nearest BRIG Or confinement facility as soon as it is feasible. The limited use of detention facilities requires the selected application of the provisions of this manual. The following articles are provided to clarify the requirements of this manual as they apply to detention facilities. With the exception of the clarifications presented in this chapter the articles of this manual shall be strictly applied to detention facilities.

2. Article 2101.3 identifies the two types of detention facilities: the detention space, and the holding cell.

3. Health, welfare, and safety of these prisoners while detained must be the primary concern. This chapter sets forth policies and procedures designed to ensure both welfare of prisoners and staff and compliance with legal requirements.

4. Persons may be detained only if there has been a violation of the UCMJ. Under no circumstances may an individual be placed in detention for "protective custody," "safekeeping," or any other such general charge when no violation of the UCMJ is indicated. See article 7102 of this manual.

5. No person shall be confined in a detention facility without a properly executed DD 2707, Confinement Order, or DD 1569, Incident/Complaint Report. If DD 1569 is used, a confinement order is required when detention continues beyond 24 hours.

6. Function

a. Holding Cell. A holding cell is used for short-term detention, defined to mean not more than 24 hours during the

work week, not more than 72 hours over a weekend, and not more than an additional 24 hours over an official holiday weekend. Detention in excess of 24 hours is authorized only with the express approval in each instance of the CO of the installation on which the holding cell is located, or their designated representative. This limitation may be extended, on a case-by-case basis, for up to 30 days by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Initial review officer requirements exist when initial detention exceeds 24 hours or pretrial confinement is deemed necessary. Pretrial or post-trial personnel may be confined in a holding cell for more than 72 hours under the following conditions:

(1) When an individual has been sentenced to confinement by a court-martial and is pending transfer to a confinement facility.

(2) When an individual has been placed in confinement in a confinement facility, and is moved to, and confined in, a detention facility for the purpose of appearing as a witness or as the accused in a court-martial proceeding.

(3) When a general court-martial convening authority deems it necessary to retain an accused locally, during progress of a court-martial, in the absence of a confinement facility.

b. Detention Space. A detention space is any cell, room, or other berthing space of the shore establishment used for short-term detention, defined to mean not more than eight hours.

7. Persons of either sex may be confined in a detention facility as long as the conditions of article 7103.2 of this manual are followed.

8. Detention facilities will not be used to confine persons under the influence of alcohol or narcotics, except for brief periods of time (not to exceed 4 hours) necessary for command representatives or medical personnel to arrive and assume custody. During such brief periods, constant surveillance must be maintained to monitor the behavior and physical condition of such persons. Refer to article 12502.3c of this chapter.

9. Administrative disciplinary measures contained in chapter 5 of this manual are not applicable to holding cells and detention spaces.

SECTION 2. PHYSICAL PLANT

12201. REQUIREMENTS

1. Authorization. Detention facilities shall be made operational per article 2101.3 of this manual.

2. Number and Location. Number of cells required by an activity depends upon the population served; however, at least two usable cells shall normally be available. Where possible, cells shall be located near the security watch desk but sufficiently removed so as not to hamper normal operations or be accessible to casual visitors. Cells shall not be located below ground level nor in upper stories requiring the use of stairs. When females are detained, female supervisory personnel must be utilized, and segregation must be provided for males and females.

a. Detention facilities of another service may be utilized, if that service agrees and if such facilities meet the standards prescribed herein for naval detention facilities.

b. Refer to article 2101.6 of this manual for use of civilian local detention and correctional facilities. If a civilian confinement facility is used, approval must be obtained from the Echelon 2 commander within 2 work days after confinement in order to continue detention in the civilian facility or as published by service policy.

3. Size. Single occupancy cells are preferred. Existing cells will be at least 6 feet wide, 8 feet long, and 8 feet high. If multiple occupancy cells are used for very short-term detention periods (up to 8 hours), each detainee will be provided a minimum of 20 square feet, exclusive of head facilities.

4. Construction Requirements. Walls, ceilings, and floors shall be constructed of noncombustible and fire resistant hardened materials sufficiently secure to prevent escape. Use of suspended or false ceilings is prohibited. Lighting fixtures in cells shall be security type (vapor proof, shatter proof, and

recessed flush with security type screws). All water piping, electrical outlets, fixtures, switches, and heating or cooling conduits will be inaccessible to detainees.

5. Materials and Equipment. A closed circuit television may be utilized for observation of the detention space. Refer to article 2209.11b of this manual.

6. Habitability Requirements

a. Plumbing. Each cell shall have internal plumbing providing hot and cold water. A metal combination security type fixture, which contains a commode, lavatory and water bubbler, is desirable.

b. Lighting. Each cell shall be provided with an individual security light fixture with not less than 20-foot candlepower 30 inches above the finished floor. Spaces below 30 inches shall be painted a light color. Light controls will be located outside the cell.

c. Temperature and ventilation. Temperature and ventilation in cells will be maintained per reference (k). Ventilation shall not fall below 10 cubic feet per minute per prisoner.

d. Lighting, temperature and ventilation tests will be regularly conducted, per article 2204.2d(4) of this manual, at least every 2 years. Results shall be maintained on file for 3 years.

7. Fire Protection. Installation fire department shall prescribe the type of fire alarms, fire sprinkler systems, and fire extinguishers required for the facility per National Fire Protection Association (NFPA) 101, Life Safety Code. Fire extinguishers shall be readily accessible to staff in the event of an emergency but shall be inaccessible to detainees. Fire department shall conduct regular (at least quarterly) inspections and on-site fire drills.

9. Construction and Alteration. All commands operating holding cells or detention spaces will ensure NAVPERSOOC (PERS-68) or CMC (PSL Corrections) is aware of the existence, size, and location of the cells or spaces. Any command desiring to open,

renovate, or close a holding cell or detention space must obtain prior approval from NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

SECTION 3. STAFF

12301. TRAINING

1. Navy Enlisted Classification (NEC)/Military Occupational Standard (MOS). Personnel assigned to a detention facility shall possess NEC 2008/9575 or MOS 59XX (corrections specialist or military police).

2. Pre-service/In-service Training. Personnel assigned to supervise a detention facility shall complete training as specified by NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

3. Force. Use of force will conform to articles 3402, 4402, 4403, and 4404 of this manual.

a. No individuals shall be permitted to supervise a detention facility until they have received instructions on applicable regulations relating to the use of force in the performance of such duties. In addition, instruction shall be given periodically to all personnel assigned to these duties to ensure they continue to be thoroughly familiar with all restrictions on the use of force.

b. Use of force to place a prisoner into a holding cell or detention space will be limited to the minimum amount of force required. Physical abuse, use of unnecessary force, and any form of corporal punishment is prohibited. Although use of restraining devices is normally authorized only when preparing a prisoner for transport, if a prisoner becomes violently aggressive or indicates suicidal tendencies, instruments of restraint may be applied. Such action will be immediately reported to higher authority. In extreme cases, a restraining jacket may be used when specifically authorized by a medical officer. Under no circumstances will a prisoner be chained, handcuffed, or tied to any cell fixture or stationary object. Restraints will not be continued beyond 4 hours without approval from the medical officer or CO. Striking or laying hands upon prisoners is prohibited, except in self-defense, to prevent injury to other persons, to prevent serious damage to property,

to conduct a search, or to quell a disturbance. In all cases, the amount of force used will be the minimum amount necessary to bring the situation under control.

SECTION 4. PROGRAMS

12401. SHOWERS AND EXERCISE. If prisoners are to be confined in a cell for longer than 24 hours, a shower and 1 hour of physical exercise shall be provided daily. Scheduling will depend upon the availability of supervisors, a secured space for the exercise, and satisfactory behavior of the prisoner.

SECTION 5. ADMINISTRATION AND OPERATIONS

12501. ADMINISTRATION

1. Logbook. A holding cell/detention space log will be maintained as a bound ledger with consecutively pre-printed numbered pages. Per reference (n), the log will be marked "For Official Use Only" and retained for 2 years from date of the last entry and destroyed. All events of significance will be recorded in the log. At a minimum, the following information will be recorded in the log:

a. For detained members; name; SSN; their command; reason for detention; date and time of detention; and name and grade of the person ordering the detention.

b. For released members; name; SSN; their command; date and time of release; and disposition of the prisoner.

c. Conduct and results of all inspections, fire drills, and lighting and ventilation tests, to include date and time of the event, as well as name and grade of the individual performing the action. It is recommended the presence of maintenance workers be entered, to include a description of work performed.

2. Files. All forms related to the detention of a prisoner shall be retained for 2 years from date of release and then destroyed, per reference (n). At a minimum, following required forms shall be on file and properly completed:

- a. DD 2707, Confinement Order, DD 1569, Incident/Complaint Report, or NAVMC 11130, Statement of Force/Use of Detention Space.
- b. DD 509, Inspection Record of Prisoner in Segregation.
- c. NAVPERS 1640/17, Prisoner Inventory and Receipt of Valuables and Personal Effects, or OPNAV 5527/22, Department of the Navy (DON) Evidence/Property Custody Document.
- d. DD 2709, Privacy Act Statement. A Privacy Act Statement shall be completed on all prisoners prior to collection of required personal information.
- e. DD 2708, Receipt for Inmate or Detained Person, or DD 2719, Inmate's Release Order, as applicable.

12502. OPERATIONS

1. Processing. Prisoners shall be thoroughly searched prior to detention. Funds, valuables, and other items in the prisoner's possession (other than clothing being worn, a wedding ring, or religious medallion) will be taken from the prisoner. Items taken will be inventoried on a OPNAV 5527/22, DON Evidence/Property Custody Document or a NAVPERS 1640/17, Prisoner Inventory and Receipt for Personal Effects, with a copy of the inventory provided to the prisoner. When deemed necessary, items which could inflict bodily injury, such as belts, shoelaces, neckties, garters, and suspenders, may also be removed.

2. Medical Examination

a. Personnel may generally be detained for up to 24 hours before a medical examination is required; however, if individuals appear to be ill, requests medical attention, indicate pregnancy, exhibit suicidal ideations, or exhibit an abnormal loss of control due to use of alcohol or other drugs, they shall be examined by medical personnel and certified as being fit for confinement prior to being placed in detention.

b. If exigent circumstances require detention of these individuals prior to medical evaluation, such examination will be accomplished by the most expedient means available, with the

justification for such detention explained in detail on NAVMC 11130 or DD 1569 and annotated on the holding cell/detention space logbook. In such circumstances, medical personnel shall be immediately notified a medical examination is required. Even in the absence of these factors, individuals under the influence of alcohol or other drugs may only be placed in detention for brief periods of time (not to exceed 4 hours) necessary for command representatives or medical personnel to arrive and assume custody. During these periods, constant surveillance must be maintained to monitor the behavior and physical condition of such persons.

c. Prisoners requiring medical examination shall be physically checked every 5 minutes while awaiting arrival of medical personnel. Documentation of checks shall be provided on DD 509, Inspection Record of Prisoner in Segregation. No person shall be detained in excess of 24 hours without a medical examination (to include a pregnancy test for females) as prescribed in article 7205 of this manual.

3. Detention and Supervision

a. No person shall enter occupied holding cells or detention spaces or remain in their immediate proximity wearing firearms, nightsticks, chemical agent, or other weapons.

b. If multiple occupancy cells are utilized, segregation must be maintained for detainee/pretrial and post-trial personnel, to include individuals detained for further transport by military escorts.

c. Prisoners shall be closely supervised during the period of detention. A closed circuit television may be utilized for observation. While prisoners shall be kept under continuous observation by staff members, periodic physical checks of the prisoners are required. DD 509, or other form with a duplicate format of DD 509 (for example, on the reverse of the NAVMC 11130) will be utilized to record the frequency of checks. Prisoners exhibiting suicidal ideations will be physically checked every 5 minutes while awaiting diagnosis of being suicidal; other prisoners at least once every 15 minutes. Prisoners diagnosed by qualified medical personnel as being suicidal will not be detained, or if detained prior to

diagnosis, will not remain detained in a holding cell or detention space.

d. Meals of the same quality and quantity as that served in the base or station dining facility shall be provided at regular meal hours for personnel detained beyond 6 hours. Prisoners believed to present a security risk shall be fed in their cells. In the event of overnight detention, or detention in excess of 12 hours, minimum bedding consisting of a mattress, blanket, and pillow (with case) will be provided. Staff personnel will ensure the physical needs of the prisoners, such as water and head calls, are satisfied.

4. Emergency Measures. Detailed emergency bills shall be prepared to ensure the safety of staff and prisoners in the event of fire or disorder, as per chapter 4, section 4, of this manual. Required emergency bills include fire, natural disaster, escape, and hostage. At a minimum, the escape bill shall include an emergency recall bill of staff members, which shall be tested periodically to ensure accuracy of recall numbers and the response time of staff members. Conduct of such testing will be documented within the holding cell/detention space logbook. Fire bill shall be coordinated with and approved by the installation fire department. First aid kits and fire extinguishers shall be located so as to be accessible in the event of emergency but not immediately adjacent to cells. Fire extinguishing devices using any chemical harmful to personnel shall not be available to prisoners or located in prisoner areas.

5. Serious Incidents. Serious incidents or alleged incidents involving prisoners shall be reported to NAVPERSOOC (PERS-63) or CMC (PSL Corrections) per provisions of article 3112 of this manual.

6. Release. Upon release from detention, all money, valuables, and other personal property taken from the prisoner shall be returned, and receipted for by the owner. If the prisoner is released to the custody of another, that person shall sign a DD 629, Prisoner or Detained Person, Receipt For, and shall sign for the personal property envelope. Prisoners released on their own recognizance shall be directed to return to their unit, or other appropriate command, after being issued a NAVPERS 1626/7, Report of Disposition of Offense(s), where necessary. An entry

shall be made in the log to reflect the date and time of release, and the disposition of the prisoner. One copy of the DD 2708, Receipt for Inmate or Detained Person, or DD 2718, Inmate's Release Order, as appropriate, and the receipt for personal property shall be retained on file for 2 years by the unit operating the detention facility.

7. Transfer. A DD 2708, Receipt for Inmate or Detained Person shall be used for all transfers from detention facilities to other confinement facilities. Following records shall be transferred with the prisoner:

- a. DD 2707, Confinement Order.
- b. DD 504, Request and Receipt for Health and Comfort Supplies.
- c. DD 509, Inspection Record of Prisoner in Segregation.
- d. A copy of court-martial orders designating a confinement facility as the place of confinement.

12503. INSPECTIONS

- 1. Holding cells and detention spaces will be regularly inspected for cleanliness, adequate lighting and ventilation, general repair, security, and safety.
- 2. A daily security and sanitation inspection of the holding cell and detention space will be made by a senior member of the security staff.
- 3. Holding cell/detention space shall be inspected at least monthly by a member of the medical department to ensure the operation of the facility and the physical plant meet accepted health and environmental standards, and that detained personnel are provided adequate health services.
- 4. Detention facilities shall be inspected periodically per article 1201.5 of this manual. If use is infrequent they shall be disestablished. Senior officer can designate a space for temporary detention on an as needed basis.

5. Per article 2103.4 of this manual, a triennial on-site inspection shall be conducted by NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Conduct of the inspection shall be guided by applicable service inspection checklists.

12504. WAIVERS

1. Fire, life, and safety issues require immediate correction, and waivers shall not be granted except as provided for in article 1302 of this manual. Such waiver requests shall be coordinated with the installation's fire department or base safety manager and submitted, via the chain of command, to NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

2. Waivers for other than fire, life, and safety issues may be granted based on compensatory operational procedures in effect and outlined in local policy. Such waiver requests shall be submitted via the chain of command, with full justification and compensatory measures, to NAVPERSCOM (PERS-68) or CMC (PSL Corrections).

12505. FIELD EXPEDIENT SPACES. Holding cells or detention spaces utilized during field or combat operations shall correspond to established design standards to the maximum degree feasible under existing conditions. Administration and operations shall be consistent with this manual. A medical officer shall approve field expedient spaces prior to their use. Detention in field expedient spaces shall be for the minimum amount of time for determination of release to a command representative or transport to a longer-term facility.

CHAPTER 13
CORRECTIONAL CUSTODY

13101. ADMINISTRATION OF CORRECTIONAL CUSTODY UNITS (CCUs)

1. Purpose. To provide guidance to COs and OICs in the administration of correctional custody as an authorized disciplinary measure, and to establish policy permitting commingling, when approved by NAVPERSCOM (PERS-68) or CMC (PSL Corrections), of adjudged prisoners in installation-custody status and correctional custody awardees at combined brig and CCUs located on Navy and Marine Corps facilities.
2. Discussion. Reference (c), part V, delineates the policies governing nonjudicial punishments and the actions that can be taken under reference (a), article 15. Correctional custody and other punishments authorized under reference (a), article 15, are corrective in nature and are designed to provide COs and authorized OICs with the means to correct minor disciplinary infractions without resorting to the court-martial system.
3. Background. The Navy Disciplinary System Study and Facility Master Plan 1985 was approved by SECNAV/CNO and funded by Congress to implement a new three-tier brig program. One recommendation of the Master Plan was to merge correctional custody and brig programs at new "waterfront" brigs to decrease total corrections-staff requirements and increase over-all CCU use. Correctional custody may be served in barracks and facilities located adjacent to brig sites. CHNAVPERSCMC is authorized to permit brig prisoners in installation-custody status to be placed with CCU awardees. Such authority does not include housing CCU awardees in brigs, or commingling them with brig prisoners not in an installation-custody status.

13102. POLICY

1. Authorization. CCUS shall be made operational per article 1201 of this manual.
2. Location. Correctional custody shall be served in a centralized ashore CCU. When approved by NAVPERSCOM (PERS-68) or CMC (PSL Corrections), a combined Navy brig/CCU facility or barracks located at brig sites may be used for persons serving correctional custody. The CCU facility shall be distinct.

entities outside the secured perimeter of the brig and the correctional custody awardees shall not be placed in the general brig prisoner population. However, when approved by NAVPERSCOM (PERS-68) or CMC (PSL Corrections), prisoners who have been assigned Installation Custody per article 4201 shall be placed in facilities and programs with correctional custody awardees. Correctional custody should be served under conditions that permit the individual to perform duties related to the individual's career field or general military duties, with intensive counseling and guidance, both on the job and after working hours. COs and OICs responsible for administering correctional custody shall establish procedures that provide effective guidance and assistance to offenders in discovering and correcting the cause of their misconduct. Total resources available to the command or facility must be brought to bear in this effort to counsel and guide the offender.

3. Afloat Correctional Custody. (Not authorized)

4. Designated Spaces. Spaces designated for physical restraint of persons serving correctional custody shall meet minimum standards for health, safety, and control. These standards shall include normal heating, lighting, and ventilation, and ready access to adequate drinking water and head facilities. The medical officer shall inspect the space and certify in writing that it meets at least minimum standards. Funding and staffing of centralized facilities must be accomplished within current local budgets and manpower levels.

5. Supervision

a. A qualified and trained supervisor shall be assigned whenever the space is in use. Since correctional custody will be served in spaces lacking special features, custody is effected by the presence of the supervisor. The selection of mature, well-qualified supervisors is therefore essential. Supervisors shall not be armed but should wear a duty belt, brassard, or similar indication of their official capacity.

b. The supervisor shall assure that the daily routine is carried out when any person serving the punishment is within the space. The officer of the day or command duty officer, as appropriate, shall inspect the space without advance notice at least weekly.

6. Correctional Custody Program

The correctional counselor (NEC 9516) is responsible to the CO/OIC for counseling and education programs as described in articles 6305, 6306, 6307, 6308, and 6313. The CCU counselor's duties shall also include, but not be limited to: coordinating military subject instruction; maintaining liaison with agencies that can assist in the overall program (e.g., banks, Fleet and Family Support Centers, and Chaplains); and referring the servicemember to other members of the command if specialized assistance is needed in correcting the cause(s) of the offense. The correctional counselor shall make recommendations to the CO with regard to the servicemember's eventual disposition.

b. A suitable productive work assignment shall be selected for the servicemember while in correctional custody. The assigned work shall not be as a regular watchstander or involve the bearing of arms or supervision over others.

c. An intensive training program of motivational and attitude-building shall be included in the daily routine.

d. The daily routine shall be highly regimented and shall include close order drill and a physical training program.

7. Prohibitions. CCUs shall not employ special security features, and shall not utilize cells, locked rooms, or isolated spaces. The use of restraining devices is not authorized except when directed by a medical officer or the CO to prevent members from injuring themselves.

8. Release. Those officers authorized to impose the nonjudicial punishment of correctional custody shall be authorized to release personnel from correctional custody.

13103. ACTION. To ensure uniformity in the administration of correctional custody throughout the naval service, strict adherence to the standards set forth in this manual is required. A CO or OIC administering correctional custody within the command shall be governed by the provisions of this manual.

a. CNO shall promulgate standardized policy and procedures for the administration of Navy CCUs consistent with this manual.

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b. CMC shall promulgate standardized policy and procedures for the administration of Marine Corps CCUs consistent with this manual.

**APPENDIX A
FORMS**

1. In Navy confinement facilities, some forms have been replaced by reports generated by the Corrections Management Information System (CORMIS) and provide information electronically via the Defense Data Network.

2. Following forms are available in the Navy Inventory Control Point using requisitioning procedures contained in CD-ROM NAVSUP PUB 600(NLL), Navy Stock List of Publications and Forms:

DD 504 (Sep-01)	Request and Receipt for Health and Comfort Supplies S/N 0102-LF-000-5041
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DD 509 (Rev. 7-70)	Inspection Record of Prisoner in Segregation S/N 0102-LF-005-2500
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DD 510 (Rev. 5-51)	Request for Interview S/N 0102-LF-005-2510
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DD 512 (Aug-01)	Installation Parolee/Minimum Custody Agreement
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3. The following forms are available at
<http://web1.whs.osd.mil/ICDHOME/NICDHOME.HTM>:

DD 1569 (Jul-72)	Incident/Complaint Report
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DD 2704 (Mar-99)	Victim/Witness Certification and Election Concerning Inmate Status
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DD 2705 (Dec-94)	Victim/Witness Notification of Inmate Status
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DD 2707 (Nov-99)	Confinement Order
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DD 2708 (Nov-99)	Receipt for Inmate or Detained Person
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DD 2709 (Nov-99)	Privacy Act Statement
DD 2710 (Nov-02)	Inmate Background Summary
DD 2710-1 (Jun-04)	Prisoner Sentence Computation
DD 2711 (Nov-99)	Initial Custody Classification
DD 2711-1 (Nov-99)	Custody Reclassification
DD 2711-2 (Nov-99)	Custody Initial/Reclassification Summary Addendum
DD 2712 (Nov-99)	Inmate Work and Training Evaluation
DD 2713 (Nov-99)	Inmate Observation Report
DD 2714 (Nov-99)	Inmate Disciplinary Report
DD 2715 (Nov-99)	Clemency/Parole Submission
DD 2715-1 (Nov-99)	Disposition Board Recommendation
DD 2715-2 (Nov-99)	Inmate Summary Data
DD 2715-3 (Nov-99)	Inmate Restoration/Return to Duty, Clemency and Parole Statement
DD 2716 (Nov-99)	DOD Parole Acknowledgement Letter
DD 2716-1 (Nov-99)	Certificate of Parole

DD 2718 (Nov-99)	Inmate's Release Order
DD 2719 (Nov-99)	Continuation Sheet
DD 2791 (Nov-99)	Notice of Release of Military Offender Convicted of Sex Offense
DD 2791-1 (Nov-99)	Prisoner's Acknowledgement of Sex Offender Registration Requirements

4. The following forms are available from the Navy Supply System:

NAVMED 6550/8 (Rev. 4-74)	Medication Administration Record S/N 0105-LF-216-5581
NAVPERS 1626/7 (Rev. 12-88)	Report and Disposition of Offense(s) S/N 0106-LF-005-2700
NAVPERS 1640/8 (Rev. 4-78)	Conduct Record S/N 0106-LF-016-4040
NAVPERS 1640/11 (Rev. 10-80)	Monthly Report of Prisoners/Correctional Custody Personnel S/N 0106-LF-016-4055
NAVPERS 1640/13 (Rev. 6-81)	Prisoner/Awardee Evaluation Report S/N 0106-LF-016-4065
NAVPERS 1640/15 (Rev. 6-81)	Mail and Visiting List S/N 0106-LF-016-4078
NAVPERS 1640/16 (Rev. 7-78)	Prisoner Identification Badge S/N 0106-LF-016-4080
NAVPERS 1640/17 (Rev 4-81)	Inventory and Receipt of Valuable, Clothing and Personal Effects S/N 0106-LF-016-4085
NAVPERS 1640/19 (Rev. 6-72)	Prisoner Escort Identification S/N 0106-LF-079-3000

SF 135A
(Rev. 7-85)

Records Transmittal and Receipt
Continuation
S/N 7540-00-823-7952

6. The following two forms may be ordered through the Marine Corps Logistics Base, Albany, Georgia:

NAVMC 604
(Rev. 4-94)

Combined Individual Clothing Requisition
and Issue Slip (Men's) (10120)
S/N 0000-00-000-8613

NAVMC 604b
(Rev. 5-94)

Combined Individual Clothing Requisition
and Issue Slip (Women's) (10120)
S/N 0000-00-000-8811

7. The following form may be ordered through the Federal Bureau of Investigations (FBI), United States Department of Justice, Washington DC 20537:

FD 249
(Rev 12-84)

Fingerprint Card
U.S. G.P.O. 1987-179-226

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APPENDIX B
NAVY PA SYSTEMS OF RECORDS NOTICE NO1640-1
INDIVIDUAL CORRECTIONAL RECORDS

Go to <http://privacy.navy.mil/noticenumber/NO1640-1.pdf> for a copy of this system notice.

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Appendix B to
Enclosure (1)

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UNITED STATES MARINE CORPS
HEADQUARTERS COMPANY
SECURITY BATTALION
1143 EARNETT AVENUE
QUANTICO, VIRGINIA 22134-5112

QBBO
B275
CO
1 July 2010

QUANTICO BASE PCF ORDER P1640.1C

From: PCF Officer
To: Distribution List

Subj: MARINE CORPS BASE QUANTICO PRE-TRIAL CONFINEMENT FACILITY STANDARD
OPERATING PROCEDURES (SHORT TITLE: PCF SOP)

Ref: (a) SECNAVINST 1640.9_
(b) SECNAVINST 5815.3_
(c) OPNAVINST 5800.7_
(d) MCO P5800.16
(e) MARADMIN 149799
(f) MARADMIN 184/00
(g) DOD Instruction 1325.7
(h) MCBO P1640.1
(i) MARADMIN 490710

Encl: (1) Locator Sheet
(2) Record of Changes Sheet

1. Purpose. To establish and publish local Standard Operating Procedures, Post orders and policies that governs the daily operations Marine Corps PCF, Quantico.

2. Cancellation.
Quantico Base PCF Order P1640.1B

3. Background. As authorized and directed by reference (a) and (d) the Marine Corps Base PCF Quantico, Va. is designated as a place of confinement for detained personnel from all branches of the service. The Quantico Base PCF was re-designated a Pre-Trial Confinement Facility 1 July 2010 authorized to detain male personnel ordered into pre-trial confinement. The mission is to make appropriate provisions for the security, custody, control, and basic needs of all prisoners and detainees; to determine, through an initial comprehensive evaluation, a program of work and self improvement for each detainee; and to conduct an acculturation program which will include education, and recreation. To evaluate each detainee's adjustment periodically, modifying the program(s) as necessary and if appropriate, once adjudged, transfer to another Regional Confinement Facility(RCF) or Long Term-Facility(LTF) designated by HQMC, PSL (Corrections). Reference (a) is the primary policy statement of the Secretary of the Navy applicable to confinement and correction of military offenders.

4. Information. This directive is written to inform, guide, instruct, and direct staff members on policies and provide an immediate reference for continuing operation of the PCF. It is a basic source of information to aid

staff members in answering questions from prisoners and the public. For the purpose of this order the term "prisoner" will be used to describe both detainees and prisoners unless otherwise specifically noted. As of 1 August 2000 the confinement of females in the armed forces is no longer authorized in the Quantico Base PCF per reference (e).

5. Action

a. All personnel who work at or are assigned to the Marine Corps Base PCF Quantico will be familiar with, be guided by, and comply with this order.

b. Officers/Section Heads will publish supplementary instructions required to ensure compliance and to provide effective operation in the performance of their mission (post orders). All supplementary instructions will be reviewed and approved by the Brig Supervisor; although interim changes published in the form of Policy Memorandums or update to this order will be signed by the Brig Officer.

6. Certification. Reviewed and approved this date.


J. T. AVERHART JR.

DISTRIBUTION:
Brig Officer
Brig Supervisor
PCF Section Chiefs

LOCATOR SHEET

Subj: MARINE CORPS BASE QUANTICO PRE-TRIAL CONFINEMENT FACILITY STANDING
OPERATING

PROCEDURES (SHORT TITLE: PCF SOP)

Location: Marine Corps base PCF Quantico, Virginia
(Indicates location(s) of copy(ies) of this Manual)

ENCLOSURE (1)

Log completed change action as indicated.

[illegible]

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CHAPTER ONE

QUANTICO PCF TERMINOLOGY AND POLICIES

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CHAPTER 1

QUANTICO PCF TERMONOLOGY AND POLICIES

1000. POLICY

1. Policy. It is the policy of the Secretary Of The Navy that the treatment of persons in naval confinement is in full accord with the Uniform Code of Military Justice, and that the major purpose of all awarded confinement is the correction of those confined. This order is the basic directive necessary to implement this policy and shall take precedence in matters relating to the operation of the Quantico Base PCF and treatment of prisoners.

2. Authority. The Commandant of the Marine Corps is designated by the Secretary of the Navy to administer PCFs in accordance with the reference, Department of Defense Instruction, Naval regulations and Title 10 of the United States Code (NOTAL). The PCF Officer of the Quantico Base PCF is assigned in writing by the base commander of Marine Corps Base Quantico. The PCF Officer is guided in his duties by reference (a) and other published and verbal orders from higher authority. The PCF Officer is responsible to the Commanding Officer, Security Battalion for all related administrative matters and is responsible to the HQ Company Commander for all personnel related matters. This order is not all inclusive of the guidance directed by the PCF Officer for daily operations of the PCF. All procedures for operations will be in writing and approved by the PCF Officer. Policy memorandums will be used during the interim of major changes to PCF Orders.

3. Applicability. The regulations and procedures set forth in this order govern the administration and function of the Marine Corps Base PCF Quantico. They do not take place of directives promulgated by higher authority, but amplify and interpret those directives.

4. Place of confinement. A PCF is a place of confinement established at a local command of the shore establishment and approved by the Secretary of the Navy as a naval place of confinement.

5. Correctional Philosophy. Confinement serves as punishment, not for punishment by any member of the staff. Hazing, corporal punishment, harassment, unauthorized exercises, unnecessary restrictions, deprivations, and demeaning treatment serve no useful purpose and are prohibited.

6. Confinement. Is the physical restraint of a person (UCMJ Art. 9a). Normally confinement is a type of punishment imposed by the sentence of courts-martial. When necessary, confinement may also be used before trial as a means to restrain a person accused of an offense under the Uniform Code of Military Justice to ensure his presence for trial or for protection of life and property. No member of the PCF Staff shall refuse to receive a prisoner who is properly referred to the PCF for confinement. Specific regulations/instructions governing the confinement of persons in this PCF are published in certain local base directives, and additional PCF directives published separately.

7. Prisoner Legal Status/Categories. It is essential that the legal status of each prisoner in the PCF be determined and clearly identified. A

prisoner's work, quarter's assignment, and the program he receives are dependent on his legal and custodial status.

a. Detainee. A detainee is a person subject to the UCMJ, who has been legally ordered into confinement and who is accused of violating the UCMJ and is awaiting trial or rehearing. This includes those persons who are pending the vacation of a suspended sentence, which includes confinement and/or punitive discharge. There is a clear requirement for differentiation in programs, primarily in work areas, for sentenced and un-sentenced prisoners (United States V. Nelson, 18 U.S.C.M.A. 177, 39 C.M.R. 177 (1969); article 13 of the UCMJ; and RCM 304(f) of reference (c)). Detained personnel in a PCF shall be referred to as detainees. As used in this manual, the word "prisoner" includes detainees unless otherwise specified.

b. Adjudged Prisoner. Is a person who is tried by courts-martial and is awarded a sentence to include confinement. A sentence to confinement commences on the date it is adjudged, unless it has been suspended or deferred.

c. Sentenced Prisoner. A person whose sentence has been ordered into execution following the appropriate level of review. This includes those prisoners whose DD 214 have been executed.

d. Transient Prisoner. A person who is held in confinement pending disposition instructions from another command, awaiting transportation to a designated confinement facility, or return to parent unit. A transient will not normally be held more than 24 hours.

e. Officer Prisoner. Officer prisoners include midshipmen, cadets and officer candidates. Preferably, officers should be placed in arrest in quarters, or another suitable place apart from the PCF. Where local confinement facilities are inadequate, a request for designation of a place of confinement shall be forwarded to the Headquarters Marine Corps, (PSL Corrections). When a sentence to dismissal has been executed, the individual may be confined with, and otherwise handled as, an enlisted prisoner. A report of all officer confinements shall be submitted immediately to the HQMC, (PSL Corrections). In all cases, a telephone report shall be paralleled by message. In the case of pretrial confinement of officers, only the fact that an officer of a certain pay grade (e.g., O-3/ O-4) has been confined and a summary of the offenses alleged shall be reported by message. A telephone report will advise name, social security number, etc.

f. Other Service Prisoners. Agreements concerning post-trial Confinement of other service prisoners shall be coordinated through HQMC, (PSL Corrections).

8. Military Courtesies. Inmates will observe military courtesies in accordance with customs, traditions and usage in the naval services. Military courtesies and discipline shall be taught and required in the PCF as they are practiced in a regular military unit.

9. Grooming Standards. Prisoners grooming standards will be in accordance with their appropriate branch of service. Prisoners that elect to shave off a mustache will be re-photographed, and new pictures will be affixed to their prisoner ID badges. Prisoners are not authorized to grow facial hair. Prisoners are not authorized to shave their heads.

10. PCF Tours. Authorized only by the PCF Officer and the PCF Supervisor.

11. Working Hours. Normal working hours for personnel not assigned to a security section will be from 0730 to 1630 unless otherwise specified. Security sections will work either a 24-hour or 12-hour shift.

12. Tobacco. DOD Instruction 1010.15 dated 7 March 1994 banned smoking of tobacco products in all DOD work places. Smoking inside the Base PCF Quantico is prohibited. The designated smoking area for staff is located in the parking lot in front of the PCF.

1001. PHYSICAL PLANT/DESIGNATION.

1. The Quantico Base PCF, Building 3247, has been approved by the Secretary of the Navy and has been designated as pre-trial confinement facility for all branches of the service. This facility is authorized to detain male personnel subject to the UCMJ. Post-Trial prisoners will be accepted into confinement for the purpose of Awaiting Transport to an appropriate Joint Regional Confinement Facility. Per reference (1), the designated capacity for the Quantico Base PCF is 28 not to exceed 30 effective 1 July 2010.

2. Existing conditions and major equipment. The existing PCF facility, Building 3247, is a one story, 37,200 square foot building built in the 1970's to house military as well as federal prisoners in a transient status or serving sentences. The facility is divided into three wings serviced by a central axis corridor running east/west. Wing "A" houses most of the support functions of this facility. These include the dining hall and kitchen, mechanical room, counseling facilities, staff quarters, library and offices, administrative, processing, family visiting areas and the public and main entry point into the facility. Wing "B" houses dormitories and Special Quarters 1 and 2. Wing "C" houses dormitories and an enclosed courtyard. The Dormitories are designed to house up to 18 prisoners each as previously mandated by Headquarters Marine Corps, PSL Corrections. Special Quarters 1 contains 30 individualized cells used for medium and maximum custody inmates. Special Quarters 2 contains 6 cells also used for maximum custody prisoners or as the PCF Officer may direct.

a. Facility Inspections. The Quantico Base PCF is subjected to a triennial inspection to determine the functional adequacy. A classification is assigned taking into account the structure and construction, and the security requirements. Section 2103 of reference (a) provides the details. Lighting, sound and ventilation test results will be maintained on file for 3 years. Arrangements will be made through the Industrial Hygienist to conduct this test on a biennial basis. Security Inspections will be conducted as scheduled. Coordination with fire department will be made to insure code compliance. Fire drills will be conducted monthly. Medical will insure a weekly inspection is conducted in regards to sanitation. All inspections will be consolidated and included into the PCF log weekly.

b. Squadbays/Dormitories. The Quantico Base PCF has 5 open bay dormitories designated as 1 thru 5. Dorms 1 and 2 are located in B wing and Dorms 3, 4, and 5 are located in C wing.

c. Special Quarters. Special Quarters 1 consists of 30 cells i.e. A and B rows containing 12 cells each and C and D rows containing 3 cells each. Special Quarters 2 contains 6 cells. All cells are single occupancy cells.

d. Mess Hall. The mess hall is located in A wing. The maximum capacity for the mess hall has been established at 138. This includes the main eating area and staff area. This area will also be utilized as a visiting area during weekend and holiday visitation.

3. Maintenance. All staff personnel assigned to the Quantico Base PCF are tasked to report any significant problems with the facility. This is done through frequent inspections. Work request will be forwarded to the Workshop Supervisor to be forwarded to Facility Maintenance. In the event a maintenance/safety issue surfaces emergency maintenance will be notified otherwise special precautions will be exercised until necessary repairs are affected. Maintenance reports will be turned in to the DBS on Sunday nights, reviewed, and turned over to the Workshop Supervisor Monday mornings for disposition

1002. ASSIGNED PERSONNEL.

1. Staff Organization. Operation of the PCF is set forth by education and training in the policies, procedures, and standards in this directive. The following is the command and operational level billets:

a. PCF Officer. The PCF Officer has immediate command responsibility for all phases of operation of the Base PCF. The PCF O has authority and administrative disciplinary control over all personnel confined. The PCF O is additionally responsible for the humane care, custody, discipline, safety, welfare, and correctional treatment of all prisoners confined under the provisions of the UCMJ. The PCF O shall operate the PCF in accordance with the Naval Corrections Program as defined in reference (a) and implement instructions developed in this directive. The PCF O shall provide supervision and correctional training for all staff members assigned to the PCF. At the Quantico Base PCF it is both necessary and practical to assign two or more billet functions to one staff member. To preclude inappropriate grouping of such collateral tasks and to enhance the transferability of learned job skills from one confinement facility to another, the PCF O shall review grouped tasks.

b. Chaplain. A chaplain, when not assigned full time to the PCF staff, shall be assigned in writing by the PCF Officer.

(1) The Chaplain for the PCF shall be responsible directly to the PCF Officer for providing religious instruction, pastoral care and the coordination of worship services for all prisoners. The chaplain will facilitate the visitation program of chaplains for units with confined personnel. The chaplain will arrange for outside church groups and other religious activities that aid the prisoners in spiritual development. The PCF Chaplain will conduct spiritual counseling in a manner to best fit the needs of the prisoner population.

(2) Chaplains will not serve as the commanding officer's representative to visit prisoners.

c. Medical Officer (MO). The Medical Officer is assigned in writing by the Naval Health Clinic, Quantico and shall be responsible to the PCF Officer for the health and medical care of prisoners and the sanitary conditions of the facility. The Medical Officer is responsible for reviewing daily sick

call and for conducting physical examinations, to include the initial confinement physical, referral for dental care, mental health care and other special medical conditions. The MO will advise the Commanding Officer of the PCF in matters pertaining to the physical condition and well being of prisoners. The MO examines and certifies, in writing, the fitness of all prisoners awarded Disciplinary Segregation/Special Diet prior to that action being enforced, and reviews all sick call referrals.

(1) A high standard of sanitation shall be maintained at all times. Prisoners must be informed of their responsibilities and instructed in carrying out the daily routine necessary in keeping the PCF clean and neat. A daily inspection by staff and a weekly inspection by a medical department representative must be made to ensure that cleaning and maintenance procedures are being carried out and that a vermin eradication program, if required, has been implemented. A copy of the weekly inspection will be retained in the PCF records.

d. Dental Officer. Parent commands are responsible to ensure that an inmate who is scheduled for dental treatment is transported to the dental clinic at the Naval Health Clinic.

e. PCF Supervisor. The PCF Supervisor is the senior enlisted Marine assigned to the Base PCF and is directly responsible to the PCF Officer in all matters regarding the operation of the Base PCF. In the absence of the PCF Officer the PCF Supervisor acts in this capacity with certain limitations. The PCF Supervisor assists the PCF Officer as directed in the overall operation, and in matters pertaining to enlisted personnel. The PCF Supervisor interviews all potential staff members and recommends billet assignments. Additionally, he recommends enlisted personnel to fill formal school quotas. The PCF Supervisor advises the PCF Officer in matters pertaining to the morale, discipline, education and training of staff personnel as well as screening all disciplinary reports and observation reports written on prisoners. The PCF Supervisor may also be assigned other duties as determined necessary by the PCF Officer.

f. Administrative Chief. The Administrative Chief is responsible for administrative and prisoner records, facility correspondence, statistical data, reports, and prisoner sentence computation. In addition the Administration Chief is also responsible for the following: custody of prisoner's valuables and monies, financial transactions involving prisoner accounts, prisoner health and comfort supplies, PCF mailroom, and prisoner haircuts.

g. Programs Chief. The Programs Chief is responsible for the precise operation of the programs section and is the principle staff assistant and technical specialist in the areas of: prisoner classification, prisoner work assignments, recreation, education programs for prisoners, individual and group counseling, assignment and privileges for all prisoners. The Programs Chief also ensures and supervises the administrative functions of the Disposition and the Classification and Assignment Boards. The Programs Chief is also assigned the additional billet of Victim/Witness and Sex Offender Coordinator, and is responsible to the PCF Supervisor for the daily operation of the Mess hall, supervision of prisoners in mess facility assignments to include the serving of all meals, and verification of calories for Special Diets. The Programs Chief is responsible for the maintenance of records and reports concerning programs and will be present and participate in the

monthly audits of PRBs. The Programs Chief also evaluates and writes the semi-annual evaluation report on the Workshop Supervisor.

h. Counselor. The correctional counselor provides direct and indirect, individual and group counseling services to prisoners consistent with the function of the PCF. A counselor assists in prisoner evaluations and informs the Programs Chief of any situations requiring special attention, as well as those which may be alleviated by administrative action. The counselor is also responsible for conducting an initial interview, making accurate weekly entries pertaining to their assigned case-load and conducting pre-release interviews. When conducting a monthly audit a Counselor is responsible for ensuring the Programs section of the Prisoner Record Book (PRB) is current and accurate and when necessary assist the admin section in making needed corrections. Counselors are also responsible for improving communication skills between prisoners and staff personnel, and are a source of reliable information to the prisoner's commands and attorneys on matters concerning their status.

i. Workshop Supervisor. The Workshop Supervisor is responsible for the planning and coordinating of work projects. This person's major function includes maintaining a close working relationship with the Programs Chief and counselors; to ensure liaison with area commands or units requesting assignment of gainful and productive employment is suitable for prisoners. The workshop supervisor is also responsible for the maintenance and general sanitation of the PCF facilities and grounds. The Workshop Supervisor will submit a monthly report to the PCF Supervisor of all maintenance issues and the corrective action taken. An itemized report of all projects requested and completed including the number of prisoners and man hours used will be submitted to the Programs Chief monthly.

j. Operations Chief. The Operations Chief is the technical specialist in the area of security, prisoner supervision and control, prisoner accountability, and the maintenance of collateral security equipment, i.e. keys, locks, weapons, etc. The Operations Chief is responsible, and has cognizance for the emergency contingency plans. The Operations Chief has supervisory control of in and out processing of all prisoners, as well as internal and external escort activities. In addition, he shall be responsible for the proper supervision of the security force, evaluates performance, and advises the PCF supervisor on training needs.

k. Duty PCF Supervisor. The Duty PCF Supervisor reports to the PCF Supervisor and is responsible for supervising the security force, maintaining good order and discipline, carrying out the plan-of-the-day, and ensuring the health, welfare, and safety of staff members and prisoners.

l. Watch Supervisor. The Watch Supervisor reports to the Operations Chief and is responsible for the posting, relief, and supervision of the on duty guard shift.

m. Master Control Supervisor. The Master Control Supervisor is responsible to the Duty PCF Supervisor for maintaining the prisoner accountability and security system. This position controls the hub of the communications system and coordinates information and activities concerning prisoners and prisoner movements.

n. Special Quarters Supervisor. The Special Quarters Supervisor is responsible to the Duty PCF Supervisor for the maintenance of good order and

discipline, sanitation, and the accountability and welfare of prisoners in the assigned berthing area.

o. Dorm Supervisor. The Dorm Supervisor is responsible for the maintenance of good order and discipline in the berthing spaces and carrying out the plan of the day and ensuring all orders and directive are enforced.

p. PCF Corpsman. The PCF Corpsman is assigned to the PCF on a full time basis for medical screening and treatment of prisoners. They assist the Medical Officer in conducting sick call, are available for emergency first aid, and considered part of the Program section for coordination and administration, and report directly to the Programs Chief. The Corpsman will screen all new confinements and conduct a physical on all confinements who have not been seen by a Medical Officer or Physician's Assistant. In each case that a corpsman performs the confinement physical, a Medical Officer or Physicians' Assistant will certify the fitness for confinement within 24 hours.

q. Training Chief. The Training Chief is responsible to the PCF Officer for ensuring the PCF staff training program is carried out as set forth herein. The Training Chief will plan, coordinate, and supervise the training program. All personnel assigned to corrections duty shall receive formal training in the form of pre-service or in-service.

CHAPTER 2

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CHAPTER 2

PHYSICAL PLANT AND MAJOR EQUIPMENT

2000. GENERAL INFORMATION - PHYSICAL PLANT

1. Requirements. Physical plant and major equipment requirements may be found in SECNAVINST 1640.9, MIL-HDBK-1037/4 and the Manual of the Medical Department, U. S. Navy.
2. Alterations. The guidance for development of facility requirements and the submission procedures for construction projects are contained in NAVFACINST 11010.44E. Advance approval of proposed construction and/or alteration projects shall be obtained from the Commandant of the Marine Corps (PSL Corrections).
 - a. NAVFAC P-80, Facilities Planning Factors Criteria for Navy and Marine Corps shore Installations, provides general planning information for construction and alteration of Naval PCFs.
3. Fire Equipment/Construction

- a. Emergency Exits. Emergency doors, with view ports, shall be provided, in addition to the regular point of ingress and egress, in such locations as to permit prisoners to be evacuated from housing units in the event the regular entrance is inaccessible. It is essential that a weekly testing of emergency doors be included in the security inspections described in article 2302, Ref (a).

- b. Fire Equipment

- (1) Fire Extinguishers. The kind and number of fire extinguishers and overhead sprinkler systems shall be prescribed by the Fire Marshal. The Fire Marshal shall conduct regular (at least quarterly) on-site fire drills and checks of equipment to ensure they are operable and readily accessible. If at all possible, fire extinguishers should not be placed within reach of prisoners when in their living quarters.
 - (2) Fire Hydrants and Hoses. Fire hose connections and hoses (fire stations) within the facility require strict control. Nozzles shall be small enough to pass freely between any grille works in the area they service. Sprinkler systems installed in prisoner living quarters will have the control valve restricted to staff access.\
 4. Building and Safety Codes. The Quantico Base PCF conforms to applicable federal, state, and/or local building codes. The Quantico Fire Department has documented compliance.

2001. ENVIRONMENTAL CONDITIONS

1. Lighting. Lighting throughout the facility shall be determined by the tasks to be performed, interior surface finishes and colors, type and spacing of light sources, outside lighting, and shadows and glare. Lighting in

inmate's room/cells is at least 20 foot-candles at desk level and in personal grooming areas. All inmate rooms/cells provide access to natural light.

2. Noise Level. Noise levels in inmate housing units do not exceed 70 DBA in daytime and 45 DBA at night.

3. Indoor Air Quality. Circulation is at least 15 cubic feet of outside or recirculated filtered air per minute per occupant for cells/rooms, officer stations, and dining areas as documented by an independent, qualified source. The PCF shall ensure circulation is at least 10 cubic feet of fresh or re-circulated filtered air per minute per occupant for inmate rooms/cells, officer stations, and dining areas.

4. Heating and Cooling. Temperature of indoor living and work areas are appropriate to summer and winter comfort zones. The Temperature settings are controlled by Facility Maintenance.

2002. DESIGN & CAPACITY

1. Staff/Inmate Interaction. Physical plant design allows staff to complete regular security checks, maintain visual, auditory, physical contact and interaction with prisoners and be aware of unit conditions.

2. Rated Capacity. The original designed maximum rated capacity for prisoners in the Quantico Base PCF is 120. The prisoner population will not exceed the facility's maximum rated capacity per ref (i). The following table outlines criteria for the original design and rated capacity:

Berthing Area	Cells with sinks & commodes (No Bare Cells)	Cell Constraints		Berthing Area Constraints					Most Restrictive
		Gang / Cells	1:15 / 1:5	Sq Ft 1:1	Sinks 1:6	Toilets 1:3	Showers 1:10	Urinals 1:10	

Deck					3	3	2	2	10
1					1-	1	1-	1-	10
-					2	2	2	2	10
3	12	Y	1-		1-	1	1	1	10
4	4	Y	4		3	3	3	3	10
5	4	Y	4		1-	1	1	1	10
50-1	6	Y	6		3	3	3	3	10
2					15	1	16	1	4
3									4
4									4
5									4
50-10									4
CELL									4
Total Capacity MINUS D-CELL									10
Rated Capacity									10

2003. INMATE LIVING AREAS

1. All dorms (squad bays) provide at least 72 square feet of space per prisoner housed.
2. The Quantico Base PCF shall ensure staff and prisoners are provided with a clean, sanitary living environment consistent with all applicable codes, standards, and sound correctional practice. Each prisoner confined to a cell/room for 10 or more hours daily is provided a sleeping area with the following: a sleeping surface and mattress at least 12 inches off of the floor; a writing surface and proximate area to sit; storage for personal items; and a place to suspend clothes.

2004. INMATE DAYROOM REQUIREMENTS

1. Dayrooms with space for varied inmate activities will be situated immediately adjacent to the inmate sleeping area, but are separated from them by a floor to ceiling wall.
2. Dayrooms provide sufficient seating and writing surfaces for every inmate using the dayroom at one time. Furnishings are consistent with the custody level of prisoners assigned.

2005. LAVATORY FACILITIES

1. Prisoners have access to toilets and hand washing facilities 24 hours per day.
2. Prisoners have access to wash basins with hot/cold running water in housing units with minimum ratio one basin for 12 occupants.
3. Prisoners have access to showers with temp controlled hot/cold water with minimum of one shower to eight prisoners.

2006. SPECIAL HOUSING

1. Segregation housing units provide living conditions that approximate those of the general inmate population: All exceptions are documented. Segregation cells permit inmate to converse with and be seen by all staff members.
2. All cell/rooms in segregation provide a cell with minimum dimensions of six feet wide, eight feet long and eight feet high.
3. Handicapped prisoners are housed in a manner that provide for their safety and security. Room/cells or housing units will be designed for their use and provide for the integration with general population. Programs and activities will be available to prisoners confined in the facility.

2007. EXERCISES/RECREATION AND TRAINING

1. Outdoor exercise areas for general population will be provided, to ensure that prisoners receive at least one hour of exercise in accordance with (IAW) the Plan of The Day (POD) or PCF Supervisor or Co's discretion. A covered recreation area (dorm #1) is provided for inclement weather.

2. An additional exercise area is provided for those prisoners within the population which cannot participate in general population recreation call due to custody or current handling requirements. This area is contained within the general population recreation area with additional security fencing and a locking gate. Prisoners in segregation will receive recreation call in accordance with the Plan of the Day and their handling letter.

2008. VISITATION

1. Sufficient space is provided for a visiting room or area for contact visiting and, if necessary, no contact visiting. There is adequately designed space to permit screening and searching of both prisoners and visitors. Space is provided for the proper storage of visitors' coats, handbags, and other personal items not allowed into the visiting area. Privacy and acoustical separation shall be provided for legal and official visits, and command visits when requested.

2009. FOOD SERVICE AND HYGIENE

1. Galley and Scullery. If a galley and a scullery are required within the PCF, they shall be constructed and equipped in accordance with criteria specified by NAVFAC DM-36, Troop Housing (NOTAL). In addition, the following security measures are required.

a. All coolers, refrigerators, and storage rooms will be equipped with cylinder door locks or hasps secured with padlocks.

b. An integral, secure, lockable shadow-board storage for knives, cleavers, and blades shall be permanently installed in the office area and inventoried daily.

2. Sanitation of the mess deck must be monitored by medical department personnel. Food service/sanitation standards are prescribed in the Manual of Naval Preventive Medicine (NAVMEP P5010-1) (NOTAL) and must be strictly adhered to. Prisoners must be informed of their responsibilities and instructed in carrying out the daily routine necessary in keeping the PCF clean and neat per para 1002.3(c) of this order.

2010. ADMINISTRATIVE/STAFF AREAS

1. Adequate space is provided for the administrative, security, staff and official personnel. This space includes conference rooms, storage rooms for records, public lobby, and toilet facilities.

2. Staff needs are met through providing adequate space in convenient locations for the following:

a. Areas to change clothes and shower.

b. A lounge and other areas that offer privacy from inmates and provide space for meals.

c. Access to exercise/physical training facilities and equipment.

d. Space for training.

e. Space for guardmounts

f. Toilets and washbasins that are not used by prisoners.

3. All parts of the facility that are accessible to the public are accessible to, and useable by the handicapped and staff personnel.

4. Space is designated and provided in the Quantico Base PCF to store and issue clothing, bedding, cleaning supplies, and other items required for daily operations.

2011. Control Center

1. The control center shall be manned at all times by the security sections. Access to the control center shall be limited to authorized personnel. Prisoners will not be allowed access to the control center under any circumstances. The security features of the control center will restrict unauthorized persons from entering. The control center will have windows which are glazed with security glass, and security openings, through which keys, badges, documents, etc., can be issued and received.

2. The control center should be constructed and ventilated so that in the event chemical agents are used within the facility, they will not be inducted into the control center.

3. There are no exterior windows in or walls as part of the control center.

2012. SALLY PORTS

1. Points of ingress and egress to and from the main building of the PCF shall be controlled by a sally port gate with two independently keyed or electrically controlled interlocking grilles or gates, with manual override. Points of ingress and egress through the perimeter fence should be controlled by sally port gates and monitored by remote control cameras from the control center.

2013. FENCES AND GATES

1. Fences

a. Perimeter. The security perimeter of the brig is designed with a fence at least 12 feet high and will be designed to prevent prisoners from escaping over or under it. Areas within immediate proximity and surrounding the facility shall be posted as restricted areas. Additionally, warnings shall be posted that photography and video/digital recording is prohibited.

b. Interior. Additional fences may be constructed within the security perimeter if needed to enclose or separate certain areas. These additions will follow the guidelines set forth in ref (a).

2. Gates. The openings through the perimeter fence will be constructed of the same material as the fence and will not exceed 14 feet in width per single gate. Single and double gates (both permitted for vehicle entrances) will be secured with an electric or manual lock. Such gates should be the sliding type on a positive top and bottom track and controlled by the gate sentry or the control center supervisor. Perimeter gates, when part of the PCF security perimeter, will normally be limited to one front entrance and one rear service entrance, both secured with a sally port large enough to

enclose anticipated traffic. Division fences will have sufficient gates to handle normal traffic and will be equipped with a heavy-duty padlock. Division gates may be monitored by closed circuit television.

2014. **ELECTRICAL SYSTEMS**

1. General Electrical: Switches will be located behind locked panels controlled by staff.

2. Lighting

a. Compound Lighting. The perimeter fence will be lighted with outdoor fixtures mounted on poles installed outside the perimeter fences, out of the reach of prisoners, and of sufficient height to illuminate the designated area. If it is deemed more practical, instead of poles, the area may be lighted with fixtures mounted on the exterior of the building and spaced as specified for light poles. These lights will be installed to light each corner of the compound and the remainder of the perimeter. Compound lights will be positioned to eliminate dark areas in doorways, walkways, and between buildings but not to interfere with prisoners sleeping within living quarters.

b. Emergency Lighting: Equipment (1) Emergency Generator. The PCF has the service of an emergency diesel/gas generator, with automatic transfer switch, capable of maintaining minimal lighting, operation of the facility and alarms. At a minimum, the power generator shall be inspected weekly and load tested quarterly. Only authorized installation personnel shall conduct such load testing.

c. Lighting Fixtures: All lighting fixtures and electric wall plates in prisoner housing areas shall be rigid nylon and mounted with spanner or security screws.

2015. **PLUMBING SYSTEMS**

1. Facilities. Plumbing facilities will be accessible to each living area, including cells/secure rooms, without the need for unlocking any door.

2. Water and Sewage System.

a. All cutoff valves for the water and sewage system will be installed behind lockable doors or panels accessible only to staff members.

b. No water, steam, or drain mains will be exposed in quarters or working buildings within the security perimeter to which prisoners have regular access.

3. Utilities Control. All major utilities will be secured to prevent prisoners from gaining control of these units. Orientation of utility control location and their operation shall be included in pre-service/in-service training and annually thereafter for key personnel.

4. Central toilet facilities shall provide one electric water cooler; one lavatory for each six prisoners; one commode for each seven prisoners; one shower for each 10 prisoners; and one urinal for each 10 prisoners.

2016. MISCELLANEOUS AREAS.

1. Signs will be of uniform color, size, and configuration except where safety and fire codes dictate to the contrary. Signs should be kept to a minimum.

a. All signs will either be painted on roadways and curbs or attached flush with buildings or fences. Those mounted on fences will not interfere with the vision of a sentry in the surveillance of his or her post.

b. All labeling required within prisoner berthing areas shall be stenciled. Label plates will not be used.

2017. WORKSHOP AND INDUSTRIES.

1. Workshops and industry shops will meet the criteria specified in Maintenance Facilities, NAVFAC DM-28. In addition, the following security items are set forth:

2. Functional types of shops will be separated by at least an interior wall from each other and from prisoner spaces. Industrial shops will be located near laundry and mechanical rooms.

3. Walls, ceiling, and floors will be constructed of non-combustible materials. Windows will be security type. Doors for interior walls will contain a view port and be equipped with an institutional lock.

4. All tools and equipment will be in a secure, lockable toolbox/crib equipped with shadow boards, ladder racks, and garden tool storage racks shall be provided.

5. Offices will have windows designed for prisoner supervision and security doors with view port, to include a cylinder type institutional lock.

CHAPTER 3

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CHAPTER 3

3000. ASSIGNMENT OF PERSONNEL

1. Officers and Staff Non-Commissioned Officers (SNCOs) reporting for duty at the Base PCF will be assigned by the PCF Commanding Officer/PCF Supervisor to duties commensurate with their rank and experience. A SNCO may expect to have a variety of assignments while stationed at the PCF and should be well versed in all aspects of corrections.
2. Personnel shall be assigned to Quantico Base PCF for a normal tour of duty in accordance with their respective service assignment policies. Transient personnel shall not be assigned to duty at the Quantico Base PCF.
3. Civilian staff may be hired specifically to provide expertise and consistency in a particular area. As a consequence, they will not be used outside their assigned positions except in the event of institutional emergency or approved reassignment. They may be assigned collateral duties consistent with PCF requirements.

3001. SELECTION CRITERIA

1. The specialized nature of corrections duty requires the PCF be staffed with carefully selected and effectively supervised personnel trained in techniques of control, management, and rehabilitation of prisoners. All personnel assigned duties at the Base PCF must meet the criteria established by paragraph 3102, SECNAVINST 1640.9, the Department of Navy Corrections Manual, or have a corrections military occupational specialty designation. Additionally, prior to actual assignment to duty, all personnel will attend a pre-service training course.

3002. CODE OF ETHICS

1. All PCF staff members are prohibited from using their official position to secure privileges for themselves or others and from engaging in activities that constitute a conflict of interest.
2. Before assumption of duties, all staff members will be issued a copy of the General Rules for Staff Members. Staff members will be required to sign a statement of General Rules for Staff Members. A copy of this statement will be filed in each staff member's training file and maintained in the training office.
3. Consultants and contract personnel who work with prisoners are informed in writing about the institution's policies on confidentiality of information and agree to abide by them.
 - a. Consultants and contract personnel who work with prisoners will read and sign the Staff Code of ethics.
 - b. Training will issue and maintain the signed copies of the General Regulations for Staff.

3003. GENERAL REGULATIONS FOR STAFF.

1. Prisoners shall be treated humanely. Abuse in any form (physical or verbal) or any form of corporal punishment is prohibited. Verbal harassment, interrogation, and the imposing of physical exercise as punishment are prohibited.
2. A quiet, impersonal, but firm manner shall be maintained toward prisoners at all times. Profane, demeaning, indecent, or insulting language toward, or in the presence of a prisoner is prohibited.
3. Staff personnel shall not strike or lay hands upon a prisoner except in self-defense, to prevent a serious injury to a person or property, to quell a disturbance, or for purposes of searching a prisoner. In such cases, only the amount of force necessary to bring the situation under control should be exercised.
4. Staff personnel shall not bring or permit others to bring contraband into the PCF, nor shall contraband be given to or made accessible to prisoners. Anything not issued to prisoners or authorized for their use is considered contraband.
5. Staff personnel shall not fraternize with prisoners or former prisoners nor accept personal favors or service, and shall never use their position to make social contact with friends or relatives of prisoners.
6. Staff personnel shall not give or receive from any prisoner anything in the nature of a gift; or in any manner, buy, sell, or barter any article or service with a prisoner.
7. Staff personnel shall not extend or promise to a prisoner any special privileges or favors not available to all prisoners, nor furnish prisoners with information, except through official channels.
8. Information pertaining to a prisoner's record book, offense, personal history, or private affairs is for official use only. Staff personnel shall discuss such information only with authorized individuals requiring this information in the performance of their duties. Permission to release information will be obtained from the Administration Officer or higher authority, and will be in accordance with the Privacy Act of 1974.
9. Rendering of military salutes by confined personnel shall be in accordance with established Naval customs, traditions, and usage. No special restrictions shall be imposed as a result of confinement. An escort supervising prisoners shall not salute, except when spoken directly to by an officer, or during honors to colors. At these times, the escort will take precautions, as are necessary, to further control prisoners before receiving instructions, or rendering the hand salute.
10. Duty personnel shall maintain a high standard of military bearing and appearance.
11. Duty personnel shall not introduce, or knowingly permit to be introduced into the security area, sidearm of any nature, night sticks, or any instrument that might be considered or possibly used as a weapon, except in the event of an escape, riot, or disasters, and then only when directed by the PCF Officer.

12. Duty Personnel will not argue with prisoners. When an order is given, this order is to be carried out. The arguing or questioning by a prisoner constitutes an offense. On the spot verbal correction or reprimand, and/or Disciplinary Report will be the course taken as appropriate. Dispute or questioning of authority will not be tolerated.

13. Duty personnel will not partake of any substance that will or could alter one's normal behavior eight-hours prior to the assumption of duties. The consumption of alcoholic beverages and/or substances will be sufficient cause to effect relief from duty and possible disciplinary action.

14. Duty personnel will treat all bodily fluid spills as being contaminated and follow bodily fluid control and cleanup procedures.

15. The role and functions of employees of other public or private agencies providing a service to the institution are covered by written policy and procedures that specify their relation to the authority and responsibility of the PCF Supervisor. These policies and procedures are reviewed at least annually and updated as needed.

3004. CIVILIAN EMPLOYMENT

1. Military personnel of this command are not restricted from engaging in civilian employment during off duty hours. Military duties shall at all times, however, take precedence over such employment. Further, no military personnel shall engage in any civilian employment which:

a. By reason of the hours or the nature of the work, requires them to be separated from their place of duty or interferes with the proper and efficient performance of military duties; or

b. Reflects discredit upon the Marine Corps and the Naval service.

2. For the purpose of mutual protection and recall, staff members considering off duty employment or currently employed will read current regulations and submit appropriate requests for approval via their respective section leaders. Section officers and leaders will ensure individuals have read and understand Marine Corps Order (MCO) 5330.3 concerning off duty employment.

3005. DRUG POLICY

1. The use, possession, sale, or distribution of illegal drugs by staff members is prohibited.

2. The Company Substance Abuse Counseling Officer (SACO) is available to provide information on treatment opportunities and counseling for drug or alcohol abuse to include annual training requirements.

3. Staff members violating the Marine Corps Drug Policy are subject to administrative or disciplinary action as determined by the policy set forth by the Commanding Officer, Security Battalion.

3006. SEXUAL HARASSMENT

1. Sexual harassment will not be tolerated at the Quantico Base PCF.

2. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal and/or physical conduct of a sexual nature when:

a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.

b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.

c. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or performance or creating an intimidating, hostile, or offensive working environment.

3. Sexual harassment is prohibited. Whether the individual is a prisoner, detainee, or staff member, sexual harassment denies the individual respect and dignity and is contrary to the mission of the PCF.

a. Sexual harassment training will be conducted during the pre-service, in-service, and Battalion level training.

4. Complaint Procedures.

a. A formal complaint may be submitted in the form of a Request Mast.

b. An informal complaint may be made by the following:

(1) Direct Approach

(2) Informal Third Party

(3) Training Information Resources

3007. PERFORMANCE REVIEWS/EVALUATIONS

1. Performance evaluations of military personnel will be in accordance with the Individual Records and Administration Manual (IRAM), Performance Evaluation System (PES), and the Marine Corps Mentoring program.

2. Performance evaluation of civilian staff will be in accordance with the Human Resource Office Manual and the Civilian Appraisal System. The PCF CO shall coordinate with the Human Resource Office for information on civilian evaluation or similar matters as needed.

3. Unsuitability for PCF duty will be handled in accordance with SECNAVINST 1640.9, Articles 3103 through 3106 for military personnel, and in accordance with local Human Resource Office procedures for civilian personnel.

3008. EQUAL OPPORTUNITY

1. When deficiencies exist regarding the employment of minority groups and women, the institution can document the implementation of an affirmative action program that is approved by the appropriate government agency and can document annual reviews and the changes needed to keep the program current.

2. Military personnel will be selected in accordance with the Military Occupational Specialty Manual. Civilian personnel will be selected in accordance with policy and procedures established by the Office of Personnel Management. All advertisements, screening, interviewing and hiring of civilian personnel will be coordinated through the Human Resources Office, and all guidance regarding civilian personnel hiring will be addressed to that office. The Human Resources Office maintains position descriptions for civilian personnel. Selection of military and civilian staff will be through the PCF's personnel monitor and the HRO resources respectively. Affirmative action matters will be handled primarily through those channels.

3. The PCF staff is responsible for ensuring any complaints or questions regarding affirmative action matters of which they become aware are referred to the local affirmative action office, military or civilian, as appropriate. The PCF staff is also responsible for cooperating fully in any affirmative action investigation involving PCF personnel and conducted by an authorized office or agency.

4. PCF civilian EEO management is handled by the Navy Region Northeast HRO EEO Office. All EEO problems involving civilian employees shall be coordinated with that office. Military EEO concerns will be addressed via the chain of command.

a. The PCF Supervisor shall refer problems requiring an EEO counselor to the servicing CHRO. Civilian employees may contact the HRO directly for assistance.

b. PCF staff is responsible for ensuring EEO complaints and questions are referred to the appropriate authorities and are not ignored or neglected. All EEO questions originating at any point in the chain of command shall be reported up the chain of command.

c. The PCF CO is responsible for ensuring all affirmative action and EEO matters are handled in accordance with Marine Corps policy and procedure.

d. Section heads are responsible to the PCF CO for ensuring full compliance with EEO mandates, and for reporting any instances of discrimination.

e. The Training Chief is responsible for scheduling EEO training in accordance with the PCF training schedule.

f. All staff members are responsible to their superiors for conducting all dealings with prisoners and other staff in a non-discriminatory manner, and for immediately reporting discrimination when it is observed.

g. All complaints shall be resolved and at the lowest possible level.

3009. **STAFF TRAINING**

1. Responsibilities and Requirements

a. The Training Chief is responsible for ensuring the PCF staff training program is carried out.

b. Adhere to the Orders, policies and procedure regarding all required training.

c. Know and implement the provisions of this SOP

d. Conduct training needs evaluations of pre-service, in-service, and specialized training programs on a regular basis.

e. Develop training in accordance with established needs.

f. Ensure adequate training equipment, supplies, and space are available.

g. Supervise other training personnel as necessary.

h. Monitor all staff training to ensure proper conduct.

i. Evaluate training based upon class performance, test results, and job performance.

j. Advise the PCF Supervisor and other senior PCF personnel on training matters.

k. Maintain current knowledge of corrections training theory and procedure.

l. Maintain training records containing all training received, dates of training, and any other applicable information for each staff member.

m. Ensure reference services are available to compliment the training and staff development program.

3. Annual Training Plan (ATP). The ATP will be published each year for the new calendar year and will be based on an annual assessment that identifies job-related training needs and incorporates Individual Training Standards (ITS).

a. The PCF CO will appoint senior staff members as an Advisory Training Committee (ATC), with responsibility for development of the ATP. The ATC is composed of, at a minimum, the PCF Supervisor, Section Heads, and the Training Chief. The ATC meets at least quarterly to review progress and resolve problems, and a written record of these meetings is forwarded to the PCF Commanding Officer.

b. A monthly training plan will be prepared and posted by the 15th of each month for the following month. The monthly plan will be more specific than the annual plan and will include the subject, instructor, location, date and time of training. Training that is scheduled but not held, will be rescheduled for when most practicable.

4. Pre-Service Training. After successful completion of formal correctional training all personnel will undergo pre-service training, which is conducted at the PCF and precedes assumption of duties. All personnel assigned duties within the PCF shall attend regardless of billet assignment or specialty code. It should be sufficiently broad in scope to give a thorough understanding of the policies, and procedures to be followed in all phases of the operation. It should be designed so that a successful participant could, with specialized training, fill any appropriate staff billet. Pre-service training shall consist of at least three subject matter areas: general

orientation to correctional practices and the facility; general supervised on-the-job practice in all areas of the operation; and specific orientation to the particular assignment. The training shall be constructed so that experienced confinement personnel transferring into the facility attend only the portion designed to orient the participant with the specifications of that particular facility. Staff shall complete the Job Qualification Requirements (JQR) for specific assignments of a correctional specialist prior to assumption of duties. All pre-service training will be documented in such a manner as to permit verification of date and length of training and attendees.

5. In-Service Training. In-service training is designed to keep all staff members abreast of changes in policy and operations and to maintain and improve proficiency in confinement skills. Each PCF shall conduct regularly scheduled in-service training so that a complete cycle of subject matter is completed within one year. All staff personnel, regardless of billet assignment, shall be required to attend this training and demonstrate proficiency in the subject matter. In-service training shall be a minimum of 40 hours per fiscal. All in-service training will be documented.

a. Personnel from other Military Services. In locations where naval PCFs regularly confine members of the Air Force, Army, and Coast Guard, local inter-service support agreements may be established and may include a requirement for the using service to provide staff augmentation. The operating service shall establish the number and kind of billets prescribed in articles 3301 or 3302 for the capacity of the facility, in accordance with pertinent DoD guidelines. Such billets will be filled with personnel from the other military services who meet the criteria specified in article 3102. Such personnel shall complete all training required in this manual.

b. Marine Corps personnel shall:

(1) Have a General Technical (GT) score of 100 or above (MOS 5831).

(2) Be at least 19 years of age (MOS 5831).

(3) Have no record of conviction by courts-martial or non-judicial punishment (NJP) involving drugs or moral turpitude during current enlistment (all MOSs).

(4) Have successfully completed formal corrections school training unless accepted into the MOS through the lateral move program.

c. At a minimum, pre-service training will cover the following areas:

(1) Goals/philosophy of the corrections program, official policies, programs, and procedures for the treatment of prisoners.

(2) Reception/release process, physical examination, health and comfort issue, clothing issue, personal property, completing forms, and reception lecture content, stress management, and administrative procedures.

(3) Searches, seizures, shakedowns, contraband, and use of force/restraints.

(4) Programs, legal status, and custody classification, counseling, work, education, training, return to duty or discharge, and boards.

(5) Supervision of prisoners, staff attitudes, pitfalls of harassment, intra-staff relationships, staff and prisoner relationships, recreation, mail and visiting procedures, and count procedures.

(6) Problem and special handling prisoners, including the assaultive prisoner, suicide risk, homosexual, blood-borne/airborne pathogens, drug user/supplier, borderline intelligent, and the pre-psychotic, among others.

(7) Inspection of physical plant, bars, windows, doors, mess and recreation areas, fire safety apparatus, lighting, fences, and building exteriors; control of keys, weapons, chemical agents, medications, and tools.

(8) Emergency bills; restraining methods and instruments; emergency equipment; and hostage survival.

(9) Confinement facility rules for prisoners; disciplinary and other reports; who may authorize disciplinary measures; and authority and duties of the PCF supervisor, section leader, control center supervisor, security supervisor, quarters supervisor, and other staff.

(10) Qualification in appropriate firearms.

(11) First aid and CPR.

(12) Escort training and transfer procedures.

(13) Victim Witness Assistance Program.

(14) Hazardous material/hazardous waste procedures.

(15) Unarmed self-defense.

6. Firearms and Chemical Agents. May be utilized when authorized by the PCF Commanding Officer and employed in accordance with ref (a) par 4308.

7. Support Staff Training

a. Military and civilian personnel who have daily contact with prisoners will receive 40 hours of training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter.

b. Professional specialist employees who have prisoner contact will receive 40 hours of training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter.

c. Clerical/support employees who have minimal contact with prisoners will receive 16 hours of training in addition to orientation training during their first year of employment and 16 hours of training each year thereafter.

8. Training and education are designed to increase job skills and knowledge. All staff personnel are encouraged to take college classes, attend seminars, workshops, and other formal training.

a. Tuition Assistance is available for Active Duty Marines to supplement a percentage of tuition towards a college education. The application is

received from the Marine's college of choice upon enrollment and is approved through the chain of command.

b. Marines who leave the military are still eligible for college funding assistance through the Post 9/11 G.I. Bill. The application is received from the Marines college of choice upon enrollment and is approved through the Veterans Administration.

3010. INVENTORY

1. The PCF will inventory property, supplies, and other assets of the facility. Inventories are conducted at time periods stipulated by applicable statutes.

2. The PCF Officer (PCF O) will appoint a staff member in writing as a Responsible Officer (RO) for each of the responsible accounts within the facility. The RO is responsible for property on their account, and will advise and inform the PCF CO of all matters pertinent to their respective accounts. The RO is directly accountable to the PCF CO and the Security Battalion Supply Officer.

a. Individual responsibilities include inspection of their work and storage areas; recognition and reporting of potentially hazardous or unsafe conditions; initiation of appropriate corrective action; delivery of unserviceable equipment to the Supply Officer for disposition.

b. Consolidated Memorandum Receipt (CMR). All property assigned to RO is recorded on a CMR.

(1) Quarterly, and with a change of RO, the RO will reconcile accounts by checking actual inventory with the CMR from the Supply Officer.

(2) When the RO receives a new CMR, the on-hand balance and serial numbers will be verified and a signed copy returned to the Supply Officer with the bottom of each page initialed. If discrepancies are noted by the RO, any differences will be reconciled by providing supporting source documents. This action will be completed within 15 days from the day upon receipt of the CMR.

3011. PURCHASING

1. The PCF will govern the requisition and purchase of supplies and equipment, including at a minimum the purchasing procedures and criteria for the selection of bidders and vendors.

2. The PCF Fiscal Officer (FO)/ Fiscal Chief (FC) is appointed in writing by the PCF CO, and is directly responsible for requisitioning and purchasing supplies and equipment for the facility.

a. Section representatives shall be appointed by the respective Section chief to ensure their sections have adequate supplies. As supplies are needed, the section representatives will submit a purchase request directly to the FO.

b. Upon verification of available section funds, the FO will delegate the actual purchase of the supplies to purchasing representatives. The purchasing representatives are assigned by the FO, and are the only personnel

authorized to sign for the charge cards at Battalion S-4 and make purchases at DSSC. Individual section representatives are not authorized to make purchases.

c. The Purchasing Representative will make all approved purchase requests, and notify the sections when the supplies are available for pick up.

3. Items required to be purchased on an open purchase requires a vendor be provided on the purchase request. Battalion S-4 determines the final selection of the vendor.

3012. BUDGET

1. Policy

a. The PCF Officer is responsible for fiscal policy, management, and control. Management of fiscal operations may be delegated to a designated staff person.

b. Understands the written policy, procedure, and practice cover at a minimum the following fiscal areas: internal controls, petty cash, bonding for all appropriate staff, signature control on checks, and the issuing or use of vouchers.

c. Ensures the PCF's budget request complies with the policies, procedures and instructions of the jurisdiction of which the PCF is a part. PCF staff participates in preparing the PCF's written budget request.

d. Ensures the PCF Commanding Officer participates in budget deliberations conducted by the parent agency or the next higher level of government. This participation includes requests for funds for maintaining the institution's daily operations, financing capital projects, and supporting long-range objectives, program development, and additional staff requirements.

e. The PCF will provide a method for budget revisions.

f. The PCF's accounting system is designed to show the current status of appropriations and expenditures.

g. The PCF will provide ongoing monitoring of fiscal activities. The results are reported in writing at least quarterly and are forwarded to the parent agency.

2. The PCF CO is overall responsible for fiscal policy, management, and control, although these responsibilities are delegated to the PCF Fiscal Officer (FO). The FO will be appointed in writing and responsible for all matters dealing with the management of annually allocated funds. The FO will normally be the PCF Supervisor.

a. The PCF's budget request will comply with applicable policies, procedures, and instructions set by the Battalion S-4 and other higher authorities. When notified by Battalion S-4 of the due date, the FO will coordinate an annual meeting with all section heads, and other staff members

as appropriate, to prepare a budget request with appropriate justification. The completed request will be submitted to Battalion S-4 for approval.

b. The budget may be revised as needed, and forwarded to Battalion S-4 for approval. Major revisions require sufficient justification.

3. The FO will maintain a ledger of each section account, and will reconcile the entire account with Battalion S-4 at least monthly. The FO will also maintain all documentation of un-funded deficiency requests, and monitor the decision on these requests. Written reports will be submitted to Battalion S-4 when directed.

CHAPTER 4

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CHAPTER 4

CONTROL, SECURITY, AND EMERGENCIES

4000. CONTROL CENTER FUNCTION

1. Accountability of prisoners must be maintained at all times. Many of the required reports can be generated by the Correctional Management Information System (COMIS). The elements of accountability will include but are not limited to the following:

a. The Confinement Order (DD form 2707, most current). Confinement Orders shall be delivered to the control center by the receiving and release supervisor immediately upon receipt of new prisoners. The control center supervisor shall make the necessary additions and deletions to the control center records and forward the Confinement Order to the administrative supervisor by the next workday for inclusion in the prisoner's file.

b. Prisoner Identification Badge. A locally generated prisoner badge meeting the criteria set forth in ref (a) will be utilized for each inmate. The control center's copy of the Prisoner Identification Badge will be maintained in alphabetical order in a visible or readily visible file in the control center. New badges will be added when new Confinement Orders are received and those on file will be removed from the Master File only upon receipt of an executed Prisoner Release Order (DD 2718). Badges and photo's will be updated any time a prisoners custody changes or as dir by ref (a).

c. Berthing Assignment Record. This record shall follow the berthing configuration of the facility and shall show which prisoner is assigned to each occupied dormitory or cell berth.

d. Work Assignment Record. This record is established to accommodate local work assignments for quick verification of work detail and location of the prisoner.

e. Out Count Record. This record shall be maintained in the control center only if there are prisoners outside the facility. A wall chart which provides the time of the count and an appropriate number of spaces under each authorized out-count location (i.e., hospital, Staff Judge Advocates Office (SJA), Troop Handler, etc.) and constructed so as to allow prisoners' names to be written in and erased repeatedly without damaging the form (i.e., grease pencil on an acetate cover). The form shall also indicate the berthing space, which will be vacant when a prisoner is counted out of quarters.

f. Daily Change Roster (DCR). A listing of all authorized status and program changes will be prepared daily, prepared by the programs chief and approved by the PCF Commanding Officer, and distributed to all posts and a copy will be provided to the control center. All housing moves, except emergencies, will be accomplished in conjunction with the Daily Change Sheet. Authorized appointments for the following workday will be listed (i.e., medical appointments, legal appointments, military personnel appointments, chaplain interviews, etc.). This list will be authenticated by signature of the PCF supervisor or administrative chief and distributed to the control center and each applicable post. This list shall group appointments by time sequence and each entry shall show the prisoner's name, social security number, and the call-out appointment. A column will be provided for explanatory remarks.

g. Prisoner Release Order (DD 2718). Release orders shall be verified and maintained in the control center until the release is affected. Then, forward the release order to the administrative supervisor for inclusion in the prisoner's file. The administrative supervisor will ensure that the information is properly reflected on the Daily Change Roster. At the actual time of release, obtain the receipt signature on the release order, and deliver the completed form to the control center for the necessary record changes.

h. The PCF logbook is the historical record of prisoner transactions and other significant events. It shall be maintained in the control center and reviewed (and countersigned) by the duty PCF supervisor at the conclusion of each watch. A running count will be included in this log.

2. Emergency Breathing Devices (EBDs) shall be maintained in the control center for use by selected staff in case of fire or smoke in areas where prisoners or staff will need assistance.

3. Control is responsible for maintaining an accurate prisoner count at all times, and coordinating internal and external perimeter security. Control directs all prisoner movement to include egress and ingress of the PCF.

4. Control will also serve as the PCF's communication center; monitor the operation of the fire alarm and closed circuit TV (CCTV) systems.

5. Security Operations will monitor and take responsibility for key control and security equipment.

4001. ACCOUNTABILITY SYSTEMS

1. Logbooks. PCF officials use logbooks to record accountability of prisoners and as an official transcript of events planned and unplanned that happen during each shift. Because of their importance, logbooks will be treated as official documents and filled out carefully and legibly using standardized procedures.

a. General Logbook Procedures

(1) All logs maintained by the facility shall be bound ledgers with consecutively pre-numbered pages and will only be opened and closed by Security Operations. The year, month, and day the log is opened and closed will be recorded on the inside cover of the log. All logs will be maintained by Security Operations for a period of two years from the date of the last entry. At that time the PCF Log, Medical Log, Visitors Log, Privileged Correspondence Log and Disciplinary Log will be sent to the appropriate Federal Record Center. All other logs shall be retained for 2 years from the date of the last entry and then destroyed.

(2) Entries must be accurate, concise, and will be made in black ink, except as specified below.

(3) When errors are made, one line shall be drawn through the erroneous entry, and the correct information shall be recorded to the right. Whiteout and erasures shall not be used, nor is an error to be so defaced that it cannot be read. All lined-out entries are corrected information and will be initialed by the person making the entries.

(4) Guards will use post logbooks to record their inventory of post security equipment.

(5) Radios and other gear issued by Contraband and Control will be recorded in the appropriate log and signed for by the individual receiving the gear.

b. PCF Log. This log is the historical record of prisoner transactions and other significant events. It shall be maintained in the control center and reviewed (and countersigned) by the duty PCF supervisor and reviewed by the operations chief at the conclusion of each watch. A running count will be included in this log. The PCF log is a permanent daily record of the operation of the PCF. It is maintained by the control center supervisor on duty and is kept in chronological order.

(1) The PCF log will include, but is not limited to, the following:

- (a) Results of prisoner counts
- (b) Confinement and release of prisoners
- (c) Departure and return of prisoner details
- (d) Change of watch
- (e) Emergency events/drills
- (f) Disorders and actions taken
- (g) Inspections
- (h) Record of official visitors and the purpose of their visit
- (i) Any unusual occurrences

(2) PCF Log procedures are as follows:

(a) The PCF staff member assuming the duty as the Control Supervisor shall inventory all security equipment such as radios, chargers, batteries, hand-held metal detectors, tools, safety equipment, Emergency Breathing Apparatus (EBA), flashlights, spotlights, keys, riot batons, and video camera. The Control Supervisor will record the results of these inventories in the PCF Log. The following format will be used: "I (Name/Rank) have assumed post as the Control Supervisor from (Name/Rank), Date/Time, DBS (Name/Rank/Date), Current Count: Prisoners - ____, Detainees - _____. All equipment has been checked and is accounted for. I have read and understand all orders pertaining to this post."

(b) The Control Supervisor will record all PCF events or Plan of the Day events in a neat and legible manner that can easily be read by a reviewer.

(c) Counts Record commencement, results, and securing of all prisoner/detainee counts.

(d) Confinements. To facilitate easy recognition, confinement entries shall be in RED ink and will include full name, rank, unit, and SSN.

(e) Releases. Release entries, with coincidental changes in count, will be recorded in GREEN ink and will include full name, rank, unit, and SSN. Temporary absences will be recorded in BLUE ink.

(f) Temporary absences record departure and return of prisoners/detainees (TA) from and to the PCF. Also, record the reason for departure (court-martial, defense counsel, work detail, medical, etc.)

(g) Emergency Situations, Disorders, Unusual Occurrences. Record these in RED ink with the actions taken.

(h) Inspections, Searches, Security/Safety Checks. Frequent, visual, and functional inspections by all PCF staff as they go about daily duties, will be made of all locks, bars, windows, doors, and other security equipment. The inspection will also check for faulty electrical equipment and other safety hazards. All personnel must be trained to observe and to report any unusual conditions, defective security equipment, or violation of security procedures. Times and results of all inspections will be recorded in the PCF log. Included shall be the name of the inspector and immediate action taken. Written reports of discrepancies will be provided to the PCF supervisor.

(i) Plan of the Day Events require record of commencement and securing; recreation call, work call, extra duty, religious services and other plan of the day events.

c. Special Quarters Log. The Supervisor the Special Quarters supervisor will maintain a permanent Log in a neat and legible manner, and events shall be entered in chronological order. Special Quarters Logbook procedures are as follows:

(1) Change of Watch; The PCF staff member assuming the duty as the Special Quarters Supervisor shall inventory all security equipment, safety equipment, keys and riot control equipment maintained in Special Quarters.

(2) Running Count after all entries

(3) Counts Record commencement, results, and securing of all prisoner/detainee counts.

(4) New confinements and/or individuals entering SQ for housing will be annotated in RED ink to facilitate easy recognition.

(5) Releases or individuals leaving SQ for housing in another segregation unit or general population will be recorded in GREEN ink.

(6) Temporary absences will be recorded in BLUE ink.

(7) All entries directly related to movement into or out of SQ for housing reasons will contain the following info:

(a) Name, PCF/prisoner Number, and SSN.

(b) Custody classification.

(c) Type of infraction or reason for segregation (e.g. Pending Investigation, Suicide Risk, Escape Risk, etc.), and cell number.

(d) Reason for departure (court-martial, defense counsel, work detail, medical, etc.).

(8) Emergency Situations, Disorders, Unusual Occurrences. Record these in RED ink with the actions taken.

(9) Inspections and Searches. An entry shall be made in the log whenever an inspection or search, except routine frisk search, is conducted. The inspector, type of inspection (security equipment, safety, personnel, etc.) and result shall be recorded.

(10) Visits. Record all visits and the purpose of the visit, such as PCF Commanding Officer, PCF Supervisor, Chaplain, Medical, Counselor, etc.

(11) Plan of the Day Events - As may apply to SQ or the inmates housed therein. Including but not limited to commencement and securing of; work call, extra duty, Sick Call, Medication Call, Laundry Call, PZ Call, Library Call, Visitors' Call, and Religious Services.

(12) Special Quarters Recreation Call; Starting and ending times, the names and badge #'s of participants, and Recreation Call refusals.

(13) All Meals; Record number of meals delivered and meals refused by prisoners/detainees.

(14) Hygiene, Shave and Shower call.

(15) This list is not all-inclusive and further detail is provided in the respective Post Orders.

d. Pass Down Log. Although the Pass Down Log is not an official record, entries will be legible, neat, and professional. There will be no profanity or unnecessary entries. Pass Down Logs will be maintained on each post to ensure timely communications between watches on matters that need immediate attention. Pass Down Log procedures are as follows:

(1) Prisoners/detainees who show signs of being disturbed or depressed.

(2) Areas where a disturbance might begin.

(3) Faulty security equipment.

(4) Any issue that the off-going staff decides needs attention by the on-coming staff.

(5) Special instructions from the chain of command.

(6) Action. When issues in the Pass Down Log require action, the time, date, action taken, and person performing the action will be marked next to the issue so that future watches will know that the issue has been settled, or needs continued follow-up.

2. Reports. Reports are an important tool to keep the PCF staff aware of confinements, releases, temporary absences, transfer statuses, incidents, behavior, and maintenance issues.

a. Security Calendar. Security Operations will complete the Security Calendar on a monthly basis, and it will be a supplement to the PCF Log. The PCF Supervisor and Operations Chief will review the Security Calendar monthly. The following items, not all inclusive, will be maintained in the Security Calendar:

(1) A written copy of all Contraband and Control weekly Security Equipment Inspections of the Facility. Discrepancies will be explained via an Incident Report and a copy will be forwarded to Security Operations for action. Damaged security doors, gates, locks, alarms, lighting, and keys are examples of the kinds of equipment which shall receive immediate attention by the Public Works/Maintenance Department to prevent security, health, and safety hazards. Only personnel trained to maintain and make repairs to security equipment shall attempt to repair these items.

(a) Security Operations will conduct a weekly inspection of all interior and exterior gates and locks.

(b) Security Operations will conduct a weekly test of keys to all emergency exits and gates. Results will be recorded on the Exterior Gates and Locks Inspection form for inclusion in the Security Calendar.

(c) Firearms, chemical agents, and related security items are stored in a secure but readily accessible depository outside of inmate housing and activity areas.

(2) The Security Calendar will be kept on file with the PCF Log for two years.

b. DBS Security Checklist. The DBS will conduct a daily tour, including holidays and weekends, of all areas occupied by prisoners/detainees and will submit a daily written report to the Operations Chief. Unoccupied areas are to be inspected weekly.

c. DBS Brief Sheet

(1) The DBS Report will record routine information, emergency situations, and unusual incidents and will be completed by the DBS and submitted electronically to all section chiefs prior to 0700 daily.

(2) The off-going DBS shall review the DBS Report, logbook entries, and other pertinent information to brief the on-coming DBS on each issue needing attention.

(3) The DBS Report shall be maintained in a neat, legible manner and completed in chronological order.

4002. COUNTS

1. Procedures

a. General

(1) A minimum of three prisoner counts shall be made daily (reveille, end of workday, and taps). More frequent counts may be required depending on prisoner population and the physical characteristics of the facility; however, the frequency of the counts should not unduly interfere with the normal workday activity. In addition to the scheduled counts, work supervisors and quarters supervisors shall be required to make irregular but frequent checks of all prisoners under their supervision. There must be periodic bed checks of all prisoners during the night; however, prisoners shall not be awakened for this purpose. Routine counts will be scheduled at times which will not interfere with work, training, sleep, or recreation schedules. The results and times of all counts shall be entered in the PCF log.

(2) The master count record shall be maintained in Control. The Control Supervisor shall provide up-to-the-minute information regarding all receipts of prisoners, prisoner housing moves, work assignment changes, hospital admissions, emergency leave, releases, temporary absences, and any other changes that could affect accountability.

(3) While counts are being conducted, all facility movement will cease. Once "commence count" is announced, no prisoner or staff member will enter or exit the facility.

(4) The DBS is responsible for ensuring an accurate count is obtained. Prisoners will never participate in the preparation or documentation of the count process.

(5) To ensure an accurate and well-organized count the following procedures shall be incorporated:

(a) A 5-minute warning will be announced supervisors and to halt prisoner movement.

(b) All external gates will be secured during the count and will not be opened until the count is cleared.

(c) When count is sounded, the staff shall ensure there is no prisoner movement until the count is certified correct and the count is secured by the control center. To ensure uniformity of procedures, prisoners shall be assembled as follows:

(1) In Special Quarters. Prisoners shall stand at attention in their cell facing the corridor with the gate locked.

(2) In Dormitories. Prisoners shall stand at attention at the aisle end of their berth. Two staff members will conduct the count; one staff member shall observe all prisoners while the other makes the count. This is to ensure no prisoner movements/substitutions are made resulting in double counting. The only exceptions to standing at attention during count will be those prisoners who have a medical restriction and are in quarters and those few prisoners who may be assigned to night work and the count occurs during their normal period for sleep.

(3) Outside of Quarters. Those prisoners outside of their quarters shall be assembled in a military formation and required to stand at attention while they are being counted.

(d) As soon as the quarters or project supervisor has an accurate count, it will be reported to the control center supervisor.

(e) The control center supervisor will total the number of prisoners signed out of the facility with the number of prisoners reported by supervisors and verify the total count.

(f) In the event of a miscount, the count will be repeated as stated above. A second miscount will cause the control center supervisor to call for a picture count from each supervisor conducting the count using the Prisoner Identification Badge (NAVPERS 1640/16). In the event the picture count finds a prisoner(s) missing, the escape provisions required to be established by article 4407.3 of ref (a) will be initiated.

(g) Supervisors will personally count the prisoners under their control and shall not allow any prisoner to assist them.

(h) Emergency counts shall be conducted whenever deemed necessary.

b. Formal Counts

(1) There shall be a minimum of four counts per weekday and three on weekends and holidays. The DBS will conduct formal counts at reveille, before noon chow, when prisoners return from work call, and taps. Other formal counts will be done only by approval of the Duty PCF Supervisor or higher authority.

(2) A 5-minute warning, "stand by for count," will be announced by the Control supervisor prior to each formal count to allow staff time to return prisoners to their respective dormitories. When "stand by for count" is sounded, the following actions will occur:

(a) Prisoners are returned to their respective dormitories. If a prisoner is not in his dormitory, a determination will be made by the Operations Chief as to whether to move the prisoner to his dormitory or have him standby to be counted in an office space. If it is determined that the prisoner will be counted where he is at, the DBS will be notified.

(b) If the mess deck is still open, the Mess deck Supervisor will assemble all prisoners in a formation and all detainees in a formation to re-verify his count. All prisoners will stand fast until "secure count" is sounded.

(c) Dormitory Supervisors will assemble the prisoners in their respective dormitories and re-verify their count. All prisoners will stand fast until "secure count" is sounded.

(3) When "commence count" is sounded, the following will occur:

(a) All prisoners will cease movement.

(b) All external hatches will be secured and will not be reopened until "secure count" is sounded.

(c) Duty PCF Supervisor (DBS)

(1) Utilizing the Working PCF Count Sheet, the DBS will go through any open dormitories and visually count each prisoner. After the dormitory is counted, confirmation of the count will be exchange with the Supervisor. The DBS will continue this process through special quarters. After the deck has been counted, he will confirm his deck count with the Control Supervisor.

(2) If the mess deck is still open, the DBS will proceed to the mess deck and count all prisoners on the mess deck. He will count prisoners in office spaces as he passes them. After the DBS has counted the entire facility, he will proceed to Control and verify his count with the master count. He will ensure that Control has verified all temporary absences and working parties. Once count has been verified, Control will make an entry in the PCF Log, and the Duty PCF Supervisor will order "secure count" to be sounded.

(4) Recount. If the DBS and Control's counts do not match, the DBS will order Control to sound, "Commence re-count". While the DBS conducts his re-count, Control will re-check all logbooks, temporary absences, and any working party counts to ensure there is not a clerical error.

(5) Picture Counts. If a prisoner cannot be accounted for after recount, the DBS will commence a picture count, a count comparing each prisoner's face to the picture on his hard card. If a prisoner is missing after picture count, then the Escape Bill will be initiated.

c. Informal Counts

(1) This is a frequent but irregular count made by security personnel to verify that all prisoners in his charge are present. Such checks are made between formal counts and during night hours.

(2) Working parties are counted when the crew assembles for work, at frequent intervals during the work period, and when the working party is dismissed at the end of the work period.

(3) Skin counts are counts where prisoners are counted by visually observing their skin. Periodic bed checks will be conducted between the hours of taps and reveille. Staff must use flashlights and/or nightlights to positively see skin and verify signs of life, i.e. rise and fall of the chest. Control Supervisors shall observe Dormitory Supervisors visually checking their Dormitories.

(a) Bed checks will be conducted after "taps" at least once every 30 minutes. The results are reported to Control and an entry is made in the logbook. These checks will be in conjunction with the 15 min or 5 min watch annotated on the DD Form 509.

(b) Although prisoners should not be awakened for bed checks, if positive verification is not made, the blanket will be moved in order for positive verification.

2. Responsibilities

a. The DBS is responsible for ensuring all counts are accurate and conducted in accordance with this SOP.

b. The PCF Supervisor will ensure the DBS is thoroughly trained to conduct his duties according to this SOP.

4003. CONTROL OF MOVEMENTS AND ACTIVITIES

1. Staff will regulate prisoner movement. All prisoner movements from one location to another should be controlled, orderly, punctual, and supervised by staff. Staff will take into account the prisoner's individual custody classification when determining supervision requirements for movement and activities, including individual and group prisoner movement to and from work and program assignments.

2. Procedures

a. General

(1) Military formations and procedures will be used for all group movements, except under emergency conditions.

(2) Maximum custody prisoners will be escorted by two staff members at all times when outside of their assigned cell.

(a) Maximum custody prisoners will wear restraints at all times when outside their cell. There will be two escorts with each maximum custody prisoner at all times while outside the cell. On a case-by-case basis, commanding officers of PCFs may authorize additional restraint for movement of specific maximum custody prisoners. A military judge may direct that restraints be removed from a person in the courtroom if, in this judge's opinion, such restraint is not necessary. In all cases the limitations of article 1102 of U.S. Navy Regulations 1990, reference (b) should be observed.

(3) Supervision of Medium-Inside Custody Prisoners will be immediate at all times. Prisoners who have been classified as Medium Inside and Medium Outside may move about in a limited number of areas of the PCF, unescorted with a Prisoner Pass and with the approval of sending and receiving personnel.

(4) Supervision of Medium-Outside Custody Prisoners shall be immediate and continuous at all times when outside the security perimeter of the PCF.

(5) Detainees will be kept separate from prisoners to the greatest extent possible.

b. Specific Movements

(1) Anyone desiring prisoners at a scheduled time will schedule the appointments on the Daily Appointment Sheet. The Administration Office will supply a daily list of scheduled prisoner appointments. A copy will be supplied to Receiving and Release, and Control.

(2) Any staff member requesting a prisoner from another area, who is not on the Daily Appointment Sheet, will notify Control, who in turn will notify the area where the prisoner is located and direct that they be dispatched. These requests should be held to a minimum.

c. Prisoner Passes

(1) Each area involved in dispatching prisoners to other locations will maintain a secured supply of Prisoner Passes. Dormitory Supervisors will record prisoner movements on their Prisoner/Detainee Accountability and Location board.

(2) Upon dispatching a prisoner, the sending staff member will complete a Prisoner Pass. The Prisoner Pass will have the prisoner's name, badge number, date, time they left the sending area, issuing location, destination, and the signature of the sending staff member. Upon arrival at the destination, the receiving staff member will record the time arrived on the prisoner pass. Upon departure, the time departed will be recorded on the pass and the same process used.

(3) The prisoners will be instructed to carry their pass or place it in the left shirt pocket along with their Prisoner Identification Badge.

(4) The prisoner will be instructed to proceed by the most direct route to their destination and only to that destination.

(5) Upon return of the prisoner to the sending location, the staff member will collect and destroy the prisoner pass. Dormitory Supervisors will update their Prisoner/Detainee Accountability and Location Board.

(6) If the prisoner does not arrive at either location within five (5) minutes, Control will be notified and a search will be started. If the prisoner has not followed orders, is found in an unauthorized area, or has otherwise broken a PCF rule, they will receive a Disciplinary Report.

d. Mess Formation

(1) Prisoners will be fed meals on the PCF Mess Deck. The exception to this will be those prisoners housed in Special Quarters and those on work details who will be fed bag lunches.

(2) Prisoners will be allowed at least 20 minutes to eat and will eat in a normal manner using utensils.

(3) Dormitories will be notified 5 minutes prior to being called to chow. The Mess Deck Supervisor will observe as each prisoner obtains one knife, one fork and one spoon. Staff will also obtain one knife, one fork and one spoon for accountability purposes.

(4) Individual prisoners desiring not to eat will go through the line and then, the Quarters Supervisor will report to the Watch Supervisor for disposition. Upon completion of the meal, the Watch Supervisor will give the order to the dormitory to rise and depart. Prisoners will turn in one knife, one fork, and one spoon apiece, prior to turning in their trays. At least 5 prisoners will be randomly selected and frisked searched. All prisoners will form up and be escorted back to their assigned dormitory.

e. Recreation Call

(1) Prior to prisoners falling out for Recreation Call, the DBS or Watch Supervisor (WS) will ensure at least 2 guards are posted on the outside perimeter and adequate personnel are posted in Recreation Call.

(2) When the security on the perimeter is set, Control will announce "Fall out for Rec Call." The dormitories will utilize the recreation yard hatch next to Control. All prisoners that are participating will be sent outside except those excused.

(3) When all prisoners are formed up, the DBS or WS will call Control and tell them to sound "Commence Rec Call." Control will keep time to ensure prisoners receive the full hour of Recreation Call. Either the Duty PCF Supervisor or Watch Supervisor will be present during the entire session and ensure that all safety requirements are adhered to.

(4) Physical training will be conducted in compliance with the Plan of the Day. A PCF staff member will lead physical training.

(5) When Control determines an hour has passed, he will announce, "Secure Recreation Call," and prisoners will return to their quarters utilizing the same route they used to fall out onto the Recreation Yard.

4004. ENTRANCES AND EXITS

1. POLICY

a. The PCF's perimeter will be controlled by appropriate means of staff and security wire for prisoners to remain within the perimeter and to prevent access by personnel without proper authorization.

b. Pedestrians and vehicles will enter and leave at designated points in the perimeter.

c. Weapons or Firearms

(1) Weapons, or any item that can be utilized in an offensive or defensive method to cause bodily harm or death to another, will not be permitted inside the PCF without permission of the PCF Commanding Officer.

(2) All firearms, or any weapon capable of firing a projectile, will be unloaded at the clearing barrel and subsequently reloaded in a safe manner.

2. PROCEDURES

a. Responsibility. The PCF Commanding Officer and Operations Chief are responsible for the implementation of custody, control, security, and emergency procedures.

b. Control. The degree of supervision each prisoner required depends upon the custody classification assigned to that individual. Control measures are established to maintain good order and discipline, and to protect prisoners and staff. Control will be enhanced by the impartial enforcement of reasonable rules and regulations that are necessary to provide for the safe and orderly operation of the facility.

(1) Non-Operational Staff and Official Visitors. The primary entrance and exit to the PCF perimeter for staff, lawyers, and command visitors, is the pedestrian sally port located on the Quarterdeck. All non-Operational staff will enter and exit the PCF here to ensure accountability of personnel within the PCF perimeter at any given time of the day. Control will inspect all bags and gear entering through this sally port to control contraband entering and exiting the Security Perimeter.

(2) Posting and Relieving. Oncoming Operations Sections will hold guard mount in the parking lot and ingress the PCF via the pedestrian sally port on the quarterdeck. Off-going Operations Sections will egress the PCF via the same sally port. Watch Supervisors are responsible for ensuring Marines are inspected at Guard Mount and upon relief to control contraband entering and exiting the security perimeter.

(3) Authorized Items in the PCF Security Perimeter. Food, non alcoholic beverages, one combination lock, PME, college or correspondence courses. Personnel are authorized to bring in a small purse or handbag, civilian or military backpacks and duffle bags are authorized for the purpose of official business. All incoming and outgoing bags must be searched for contraband.

(4) Unauthorized Items. Excessive plastic ware, silverware or aluminum containers. Portable electronic radios, clocks, audio players, cell phones, visual players, headphone(s) and laptop computers are not allowed without authorization.

c. Confinements and Releases. All prisoners and detainees will access the PCF through the pedestrian Gate 1 located outside of Bravo Wing. All command escorts will use this entrance/exit to pick-up and drop off temporary absences, confinements, and releases.

d. Visitation. During Visitation Call on Saturdays, Sundays, and holidays, visitors will report to the Quarterdeck for processing and then proceed to the rear sally port adjacent to Control for access to the Mess Deck.

e. Internal Security. Security measures inside the PCF will be constant from day-to-day. Control and supervision procedures are designed to facilitate the movements of prisoners, to assure control of movement, to guard against violations of rules, and to promote good order and discipline.

f. Posts are established at the following key points:

- (1) Living Quarters (Dormitories and Special Quarters)
- (2) Entrances/Exits
- (3) Work and Recreation Areas
- (4) Mess Deck
- (5) Master Control
- (6) Perimeter rover and internal rover(s) (if required)
- (7) Duty PCF Supervisor and Watch Supervisor(s)

(8) Security Escorts

(9) Receiving and Release

g. Restricted Areas. The PCF shall be posted as a restricted area. Persons not assigned to duty at the PCF shall not be allowed to enter the area except on official business or as authorized visitors. Members of the staff, shall remain clear of the prisoners and PCF area when off duty.

(1) Authorized Visitors. All authorized visitors will be required to wear a visitor's badge on the front of their outside garment above the waist. Visitors of prisoners will keep hand-carried items in the lockers provided on the quarterdeck or locked in their vehicle. Visitors will be scanned with the hand-held metal detectors. Visitors that refuse to be scanned may be refused a visit by the DBS.

(2) Official Visitors. Official visitors will be allowed access to conduct business only after being escorted. They will be required to wear a visitor's badge on the front of their outside garment above the waist. Visitor escorts will remain in the presence of the visitor to its conclusion.

(3) Staff. Off-duty staff will not loiter in the PCF.

h. Operations Section. An Operations Chief exists to oversee day-to-day security operations. The Operations Chief is responsible for the operation of security as such:

(1) Supervise all Operations personnel.

(2) Ensure perimeter patrols are properly performed, when applicable.

(3) Ensure the Control Centers and Special Quarters are properly staffed and operated.

(4) Ensure prisoner escorting is properly performed in association with ref (a) training requirements to ensure escorts are properly trained.

(5) Oversee all security operations and coordinate with training to ensure all Operations watch standers are properly trained.

3. Weapons Procedures

a. The procedures that govern the use of firearms, to include armed sentries are not authorized at the Quantico PCF without approval from the PCF Commanding Officer.

(1) Weapons are subjected to stringent safety regulations and inspections. Rifles/Shotguns will not be authorized at the Quantico Base PCF. Law Enforcement officers and vehicles with a locking system are required to have them double locked in their vehicles.

(2) Staff supervising inmates outside the PCF's perimeter follow specific procedures for ensuring the security of the weapons.

(3) Staff are instructed to use deadly force only after the degrees of force have been employed and other actions have been tried and found

ineffective, and when competent authority has given authorization and to prevent immediate serious bodily harm or death. All staff members assigned to the Quantico Base PCF will sign a statement of understanding on the Use of Deadly Force.

(4) Chemical riot control equipment may be used only upon order of the PCF Commanding Officer, and only by a person trained in its use. A trained riot force of the PCF command or battalion should be utilized. Specific deployment will be identified in the PCF's Emergency Contingency Plan.

a. Weapons Turn-In. If at any time a PCF staff member witnesses an authorized visitor in the area with a weapon, they will direct that individual to properly clear and secure their weapon in the PCF's weapon lock box. All lock box keys will be placed in Master Control during the visit.

b. Chemical agents, and related security equipment are inventoried at least monthly to determine their condition and expiration dates.

4005. INSTRUMENTS OF RESTRAINT

1. Instruments of Restraint. Handcuffs, flex-cuffs, leg-irons, transport belts, strait jackets, and restraining chairs are instruments of restraint.

2. Policy

a. Instruments of restraint, of any type, shall not be used as punishment and are applied only with the approval of the PCF Commanding Officer (PCF O) or designee. This approval may be written or verbally granted. As a precaution against incidents created by dangerous, violent, or escape risk prisoners, handcuffs, transportation belts, and leg irons may be utilized. Use of other control methods, e.g; strait jacket, must be authorized by a medical officer.

b. When an offender is placed in a four/five point restraint (arms, head, and legs secured), advance approval must be obtained from the PCF O or his designee. Subsequently, the Medical Officer and/or a Mental Health Treatment Specialist will be notified to assess the inmate's medical and mental health condition, and to advise whether, on the basis of serious danger to self or others, the inmate should be placed in a medical/mental health unit for emergency involuntary treatment with sedation and/or other medical management, as appropriate. If the offender is not transferred to a medical/mental health unit and is restrained in a four/five-point position, the following minimum procedures will be followed:

(1) Direct Visual observation by staff will be continuous prior to obtaining approval from the Medical Officer and/or a Mental Health Treatment Specialist.

(2) Medical or Operations staff will be required to inspect the prisoner at least every 15 minutes until the restraints are removed. Removal of the restraints will be effected when the Medical Officer and PCF Commanding Officer are satisfied the threat to the prisoner and staff is over.

(3) Restraint procedures are in accordance with guidelines endorsed by the designated Naval Mental Health Authority. Under normal conditions,

handcuffs, flex cuffs, leg irons, and transport belts are sufficient to control a prisoner. Four/five point restraints will only be used in extreme instances and only when other types of restraints have proven to be ineffective. Restraint guidelines will consider the individual's physical condition, such as body weight.

c. The appropriate use of restraints is instrumental to the safety, control, and custody of prisoners. Therefore, all staff personnel and unit prisoner escorts must be trained in the use of handcuffs, transportation belts, leg restraints, and straightjacket restraints. Levels of restraint vary according to the situation and prisoner custody classification.

d. When restraints are applied on a prisoner, it should be in such a manner as to accomplish the desired degree of restraint with a minimum amount of force. Restraints should be applied for no longer than is necessary to assure the safety, control, and custody of the prisoner or as dictated in the following procedures.

3. Procedures

a. During an emergency response, the DBS may authorize the use of restraints if the situation warrants. If the DBS is not present, the senior Marine with restraints is authorized to apply restraints as his judgment dictates. Immediately, however, the DBS shall be informed and personally observe and command the situation making proper notification as appropriate (PCF Commanding Officer, PCF Supervisor). The DBS shall ensure restraints are removed as soon as possible.

b. The DBS, Watch Supervisor, and Security Operations are authorized to maintain handcuffs/keys on their person while carrying out their duties. Other staff personnel that have immediate access to restraints are the Operations Chief, Receiving and Release, and Special Quarters Section.

c. Chains (irons, single or double) affixing prisoners to a bulkhead, furniture, or fixture, or the use of restraining devices not mentioned above are prohibited.

d. When a prisoner is being placed in Special Quarters as a result of a disciplinary report/action, he will be placed in handcuffs prior to movement to Special Quarters and remain in handcuffs until he is properly secured in a cell. If authorized by the DBS or higher authority, a violent or combative prisoner may be placed in other restraints if warranted; i.e., flex-cuffs, transportation belt or leg restraints. Proper notification will be forwarded through the chain.

e. Due to the probability and categories of an escape, potentially violent or dangerous tendencies and suicide risk, maximum custody prisoners require full restraints for handling and custodial procedures. If movement outside of the Special Quarters is necessary, full restraints, i.e. handcuffs, transportation belt, and leg restraints will be applied prior to the prisoner exiting his cell. Restraints will always be used when moving or transporting maximum custody. Individual SQ Handling letters and custody classification will be the determining factor as to the use of restraints.

(1) During Shower Call, these prisoners will only be required to wear handcuffs while traveling to and from the shower area. Once in the shower, the Special Quarters Supervisor with an additional escort will remove the

hand restraints and shut the shower hatch. Upon completion of his shower, the prisoner will reverse the procedure to have his hand cuffs reapplied.

(2) During Visitation Call for a maximum custody prisoner, full restraints, (handcuffs, transportation belt, and leg restraints), will be applied.

f. Maximum custody prisoners will remain in full restraints for command and legal visits if such visits are conducted with the prisoner outside of his assigned cell. If it becomes necessary for the prisoner to sign documents, one hand may be released from the hand restraints. Location of command/legal visits for maximum custody prisoners will be in a non-contact booth.

g. Handcuffs or flex cuffs will routinely be applied with hands in front of the prisoner; however, they may be applied from the rear when gaining control of a violent or unruly prisoner.

h. Care should be taken not to display restrained prisoners unnecessarily to the public.

i. Written procedures govern the use of restraints for medical and psychiatric purposes.

j. During a temporary absence outside the PCF security perimeter, the following will be adhered to:

(1) Medium Custody Out. The escort will carry one set of handcuffs/key. The Medium Custody Out prisoner will not wear restraints upon departure from the PCF, during temporary absence, or on return unless he becomes violent, combative, or attempts to escape from the control of the escort.

(2) Medium Custody In. Medium Custody In prisoners will have handcuffs and transportation belt applied prior to departure from the PCF security perimeter. The escorts will carry one set of leg restraints. Handcuffs will remain on unless authorization from the DBS or higher authority at the PCF is granted to remove them; leg restraints will be applied prior to the removal of the handcuffs and transportation belt. The leg restraints will not be removed until the handcuffs and transportation belt are replaced.

(3) Maximum Custody Prisoners. Maximum custody prisoners will have full restraints applied prior to departure from their cell in Special Quarters. During a temporary absence, the escorts will not remove any combination of the full restraints unless authorization is received from the DBS or higher authority.

k. For court appearances, all restraints will normally be removed prior to the prisoner entering the courtroom. In such cases, the DBS or higher authority will be contacted for prior approval to remove restraints. The restraints will be removed and re-applied directly outside the courtroom.

l. When a Maximum or Medium Custody In prisoner is admitted into a Hospital overnight or for an extended period, all restraints will normally be removed and maintained by the escorts. In addition, the PCF will provide or ensure escorts have leather hospital restraints for possible use. In such

cases, the DBS or higher authority will be contacted for prior approval to remove restraints. If at any time the prisoner poses a threat to security or custody is jeopardized, restraints may be applied. Immediate notification to the PCF will be necessary for such cases and any other unusual circumstances. At no time will a restrained prisoner be connected to any fixtures or furniture.

m. Flex-cuffs may be used as an expedient alternative to handcuffs when handcuffs are not readily available.

4006. COMMUNICATION

1. Communication. Staff communication is vital to keeping accountability and ensuring the safety of the prisoner population.
2. Policy. The radio code listed below is the only code authorized for use over the radio network; however, it is up to the judgment of the individual as to whether to use the radio code or just plain English depending on the situation.

10-1 COMING IN POOR	10-28 REGISTRATION
10-2 LOUD AND CLEAR	10-29 WANTS AND WARRANTS
10-3 STOP TRANSMITTING	10-34 PATROL AREA
10-4 ACKNOWLEDGMENT	10-36 TIME CHECK
10-5 RELAY MESSAGE	10-37 CHOW RUN
10-6 BUSY	10-38 TRAFFIC STOP
10-7 OUT OF SERVICE	10-39 CLEAR FOR TRAFFIC
10-8 IN SERVICE	10-40 FIGHT IN PROGRESS
10-9 REPEAT	10-41 RADIO CHECK
10-10 REMAIN IN SERVICE	10-42 PASSENGER
10-13 ADVISE OF ROAD CONDITIONS	10-45 SERVICE VEHICLE
10-14 ESCORT	10-69 Need Battery
10-15 PERSON IN CUSTODY	10-83 CHANGE FREQUENCY
10-17 PAPERWORK	10-86 MESSAGE/INFO TRAFFIC
10-18 COMPLETE ASAP	10-87 MEET WITH
10-19 RETURN TO BASE	10-97 ARRIVED ON SCENE
10-20 LOCATION	10-98 COMPLETED MISSION
10-21 TELEPHONE	10-99 OFFICER NEEDS EMERGENCY ASSIST
10-22 DISREGARD	802 ESCAPED PRISONER
10-23 STAND BY	

CODES

CODE 1	ROUTINE RESPONSE
CODE 2	FULL CODE LIGHTS
CODE 3	CODE LIGHTS AND SIREN
CODE 4	NO ASSISTANCE NEEDED
CODE 7	CHOW
CODE 9	HEAD CALL

PHONETIC ALPHABET

ALPHA	JULIET	SIERRA
BRAVO	FILLO	TANGO
CHARLIE	LIMA	UNIFORM

DELTA
ECHO
FOZ-TROT
GOLF
HOTEL
INDIA

MIKE
NOVEMBER
OSCAR
PAPA
QUEBEC
ROMEO

VICTOR
WHISKEY
X-RAY
YANKEE
ZULU

3. External Communications and Alarm. A sufficient number of outside telephone lines will be installed in PCFs to permit the conduct of business and to alert other station offices in event of escape, fire, disorder, or other emergencies. Such outside telephones shall be restricted from prisoner's access. Alarms shall be installed as required for life safety, such as fire or other emergencies. There shall be a direct means of communication, phone, radio, intercom, or alarm between the PCF's control center and the installation's security, provost marshal, base police or desk sergeant, destructive weather operations center, and fire department dispatchers.

4. Communications Equipment (Emergency) Criteria. All equipment installed in confinement facilities shall be of the kind, type, and specifications required by applicable regulations, except as specified here. These exceptions are necessitated by the security and control factors peculiar to confinement. Internal communications, duress alarms, and a "hot line" to fire and security departments constitute minimum requirements for communication systems.

5. Internal Communications and Alarms. An internal telephone will be installed at office spaces and SQ to permit staff members to communicate with each other and to conduct normal business. A duress alarm will be utilized for all security staff members in conjunction with an alarm system which pinpoints troubled areas until switched off in the control room.

4007. POST ORDERS

1. The PCF supervisor shall ensure there are up-to-date written instructions for each post. These post orders shall contain a clear, concise statement of the purpose, schedule, supervisory functions, security requirements, and any other special features of the post. Staff members shall know and be able to perform the functions required in the post orders prior to assumption of that assignment. The PCF supervisor will require all post orders to be reviewed annually.

2. The Scope of the post orders will give specific and general instructions for the operation of each post; they cannot, however, cover every incident or eventuality, which may occur. Staff members assigned to the post must use good judgment, tact, and careful attention to detail in discharging their duties whether referenced in the post orders or not. They shall know and be able to perform the functions required on the post prior to assumption of that post.

3. Post orders are for the exclusive use of PCF staff members and will, at no time or for any reason, be shown to prisoners or any persons who are not authorized. Copies of post orders will be maintained in the following locations;

a. Individual post orders will be maintained on the specific posts whose function they describe. They will be kept in a location that is not normally accessible to prisoners.

b. Copies of all post orders will be maintained in the office of the PCF Supervisor, Operations Chief and in the Control Center.

4. When assuming a post for the first time, semi-annually, and upon any change in the Post Order, the staff member will sign the Post Order Certification Signature Sheet indicating he has read and fully understands the post order.

4008. STAFF

1. Opposite sex Staff. When specifically approved by the HQMC (PSI Corrections), service members may be assigned to PCFs authorized for prisoners of the opposite sex. However, they shall not be assigned duties that require the supervision of prisoners of the opposite sex at times when nudity routinely occurs.

2. Personnel/Tour of Duty. Personnel shall be assigned to PCFs for normal tours of duty. Transient personnel shall not be assigned to duty at a PCF. Duty at the PCF is restricted to permanent personnel only.

3. Supervision. The dorm/SQ supervisors are responsible to the DBS for the maintenance of good order and discipline, sanitation, and the accountability and welfare of prisoners in an assigned berthing area. Each separate berthing area (dormitory or SQ) will be supervised. In the case of very small (10 capacity or under) or minimum custody quarters, one quarter's supervisor may be assigned to supervise up to four separate quarters so long as they are adjacent to each other. In the case of larger quarters (more than 35 capacity) or unusually configured spaces, it may be necessary to assign more than one dorm supervisor. Medium-out custody quarters should be closed during the day and prisoners should be out on work details (unless work centers are established in the day room spaces of the berthing areas). It should not be necessary to keep a dorm supervisor on duty in a medium-out berthing area to supervise one, or a few, prisoners who are not going out to work. Therefore prisoners who are held-in for whatever reason should be supervised in a secured area adjacent and visible to a 24-hour post. Dorm supervisors will supervise prisoners on work details when the prisoners leave the housing area.

4. Performance Evaluation. Staff members must be continually evaluated to determine their effectiveness. Close observation, combined with training and progressively more responsible job assignments, is essential.

a. When personnel from other services are assigned to duty in a PCF operated by another service the following shall apply:

b. The individual's performance of confinement duties shall be the primary determinant of the individual's proficiency. The initial evaluation of the member's ability to carry out these functions shall be made by the PCF supervisor.

c. Input from the member's command for collateral duties and service requirements may be used as additional information. This procedure is not intended to conflict with regulations prescribing procedures for performance

evaluations, but to define the relative importance of various inputs on the evaluations of personnel assigned to PCFs.

4009. RESPONSIBILITIES OF SECURITY OPERATIONS

1. Policy. Staff members are responsible for maintaining a high degree of control, custody, and security of prisoners and for the execution of contingency procedures.

a. Responsibility. The PCF Supervisor and Security Operations Chief are responsible for the implementation of custody, control, security, and contingency procedures. The Security Operations Section exists to oversee day-to-day security operations. The Security Operations Chief is responsible for the operation of this section, as such:

- (1) Supervise all security personnel.
- (2) Ensure perimeter patrols are properly performed, when applicable.
- (3) Ensure the Control Centers and Special Quarters are properly staffed and operated.
- (4) Ensure prisoner escorting is properly performed and, in association with training, ensure escorts are properly trained.
- (5) Oversee all security operations and cooperate with training to ensure all security watch standers are properly trained.

b. Control. The degree of supervision required on each prisoner depends upon the custody classification assigned to that individual. Control measures are established in order to maintain good order and discipline, and to protect prisoners and staff. Control will be enhanced by the impartial enforcement of facility rules and regulations that are necessary to provide for the safe and orderly operation of the facility.

(1) The existence of programs or activities such as work, organized recreation, and self-improvement activities are tools used to create sound custodial measures. Therefore programs will be constructive for the both the Marine Corps and constructive for the prisoner.

c. Security. Staff members are responsible for security, regardless of duty assignment. Constant vigilance must be maintained in reviewing all areas of security within the facility. Discrepancies, malfunctions, or potential problem areas will be reported and corrective action taken immediately. A fully-functional security system is essential to maintaining control and custody.

4010. CONTRABAND AND SEARCHES

1. Definitions

a. Frisk Search. A systematic search of the outer clothing (pat down) during which a prisoner is not required to remove his clothing, for the purpose of seeking out contraband.

b. Strip Search. A systematic search during which a prisoner is required to remove all of his clothing, for the purpose of seeking out contraband.

c. Body Cavity Search. A visual, manual, or instrument examination of the body cavities, generally conducted by a Medical Officer. An internal examination of the body orifices. This requirement does not preclude visual examination by staff members.

d. Quarters Search. A thorough inspection of a housing unit, cells, or room, for the purpose of seeking out contraband.

e. Contraband. Any article not authorized to be in the possession of prisoners or any item authorized for a prisoner's use that has been modified for a use other than that originally intended. Note: Section 4 of the Prisoner Rules and Regulations lists authorized articles.

2. Policy

a. The facilities and inmates may be searched at any time to ensure the security, good order, discipline, and to prevent the introduction of contraband within the PCF. Search policies will be made available to prisoners and staff. The Operations Chief will review search policies and procedures annually and update them as necessary.

b. Prisoners shall be instructed that their persons, their quarters, and their work areas are subject to search at any time during their stay in confinement. Searches shall be conducted in a professional manner. The policies of ref (a) article 3404 are applicable. There are two general types of searches, one of a person, and the other of an area. These two methods are described below and shall be used as the situation requires.

c. Searches shall be conducted by staff members of the same sex as the prisoner, absent extreme emergency.

d. When a prisoner is suspected of a new crime, only the PCF Commanding Officer or PCF Supervisor will authorize searches unless immediate action is necessary;

3. Procedures

a. General Guidance

(1) The search of prisoners requires expertise and a proper attitude on the part of the staff member. The prisoners will be informed, quietly, and simply of what is about to take place. Prisoners should not be touched any more than is necessary to conduct a comprehensive search. All contraband found during any type of search will be preserved in accordance with contraband control reporting procedures.

(2) Frequent and irregularly unannounced searches of prisoners, their quarters, and other areas of the PCF will be conducted periodically and in accordance with the Security Calendar to ensure safety and security.

(3) Searches will be conducted to detect and prevent the introduction of contraband, to recover missing or stolen property, and to prevent escapes and/or other disturbances.

(4) Searches will be conducted in a manner that will avoid unnecessary force, embarrassment, or indignity to the prisoners.

(5) Staff members will be trained in effective search techniques that will protect both the prisoners and staff members from bodily harm.

(6) Prisoners will never be present during any type of quarters or area searches.

b. Purpose. Searches are especially necessary for the following reasons:

(1) Prevent the introduction of weapons or other dangerous contraband into the PCF.

(2) Detect the manufacture of weapons, escape devices, etc., within the PCF.

(3) Discover and suppress "trafficking" among prisoners, and between staff and prisoners.

(4) Discourage theft.

(5) Check for malicious waste or destruction of government property within the PCF.

(6) Discover hazards to health or safety that may go unnoticed during a more routine inspection.

c. Frisk Search

(1) A frisk search is most often used throughout the course of the day. It is also the type most likely to be performed improperly. The frisk search should be conducted by a staff member of the same sex as the prisoner and will be performed prior to any prisoners entering the visiting area, upon return to the PCF, completion of work from Workshop, and when there is probable cause to believe a prisoner possesses contraband. In situations where a staff member of the same sex is not available, a staff member of the opposite sex may conduct a frisk search to ensure safety of staff and/or keep individuals from discarding or destroying contraband. The search should be conducted thoroughly and in the presence of another staff member.

d. Strip Search

(1) The strip search shall be used in admitting new prisoners, when transferring prisoners. The PCF supervisor will determine how often strip searches are to be conducted following visits, in those situations where the prisoner has been outside the security perimeter, and special cases when deemed necessary. In situations where all prisoners are not strip-searched, and no specific incident exists, random selection shall be used. Random selection requires an objective method. The complete search will be made in privacy and the searcher shall have another staff member present as a

witness. In these searches the prisoners shall remove their shoes and all clothing. Clothing, personal effects, and body shall be carefully searched.

e. Quarters Search

(1) Searches of dormitories, cells/SQ will be unannounced and unscheduled in accordance with the Security Calendar. These searches are necessary for the safety and security of the PCF. Patterns must be carefully avoided. This type of search is designed to uncover contraband, prevent escapes, maintain sanitary standards, and eliminate fire and safety hazards. This type of search must be conducted in an orderly manner to be thorough. Two staff members will be present during this type of search. Prisoners will not be present during a quarters search.

(2) A cell/dorm should be left the way it is found, never in disorder. Prisoner personal property will be respected and not willfully discarded, broken, or misplaced. A properly conducted search is the ability to make a complete search and leave the room as close as possible to its original condition.

(3) There will be a complete search and inspection conducted by the Quarters Supervisor of each cell/room before it is occupied by a new prisoner.

(4) Process

(a) When an individual cell/room of a dorm/SQ unit is being searched, the prisoner occupying the cell/room of a dorm/SQ will be moved to another cell/room.

(b) The staff member must have an organized plan, inquiring mind, and look in every small and large possible hiding place.

(c) Check inside of lockers, folded clothing, soap holders, unscrew toothpaste caps, etc. Look for any sign of tampering with light switches, electrical outlets, or plumbing fixtures. Check in and under trashcans.

(d) Strip the rack and search each item thoroughly and when completed the linen will be folded and placed on the rack.

f. General Area Search. All areas shall be subjected to a thorough search from time to time on an unscheduled basis. Visiting areas will be searched by staff before and after all visits, and prior to any further access by prisoners. In conducting such searches, a definite plan should be followed. Prisoners should not be present during the search nor be permitted to see how it is conducted. If prisoners are occupying the area to be searched they should be marched out of the area, each being frisk searched prior to leaving. All authorized articles should be handled carefully and replaced when the search is completed. Care should be exercised to avoid any undue disturbance of prisoners' effects.

(1) When contraband is discovered, a written report must be made listing the items and covering precisely the circumstances of discovery. The contraband items along with the report shall be submitted to the PCF supervisor. It is essential that a strict chain of custody be maintained of any evidence, which may be used in disciplinary action.

g. Visitor Search. Staff assigned to the Master Control during visitor reception must be exceptionally alert to the introduction of contraband. Additionally, all visitors must walk through a metal detector or be searched with a hand-held metal detector before entering. If there is a strong suspicion (probable cause) that a visitor possesses contraband and will not volunteer to be searched, the DBS may deny entry to the visitor and the Military Police may be notified. If contraband is found by the Military Police, they will handle the apprehension. This type of incident will be recorded in the Visitors Log and the PCF Log.

h. Visiting Area Search. Immediately before and after visitation, staff members assigned to visitation must conduct a thorough search to ascertain that no contraband is present. Prisoners will not be permitted in the area until this search is completed. The heads and bottom of furniture should receive special attention. Staff members assigned to visitation must be especially attentive to possible passing of contraband from visitor to prisoner during the visit. All prisoners will be strip searched at the conclusion of the visit in Receiving and Release.

i. Perimeter Searches

(1) Areas outside the PCF must also be searched for possible contraband left for prisoners. Parking areas, delivery, and reception areas must be searched frequently and diligently.

(2) All supplies and food stocks delivered to the PCF must be locked in secure storage areas and inspected thoroughly before being issued to prisoners.

j. Vehicle Searches

(1) Authorization for entry or departure of any vehicle to or from the facility is contingent upon the consent to search. All vehicles leaving or entering the facility shall be carefully checked. Unattended parking in the compound shall not be permitted. A staff member shall remain with the vehicle the entire time it is in the facility unless the compound is clear of all prisoners. At the compound shall be sealed at a point of shipment the discretion of the PCF supervisor, local conditions may not require search of every container; however, frequent spot checks of incoming containers shall be made instead. Inspections must be thorough. Laundry, trash, and other containers large enough to conceal a person shall be searched before leaving the compound unless they were filled under the continuous supervision of a staff member and the supervision maintained until their removal.

(2) When vehicles enter the PCF, all items and goods, (i.e., flares, jack handles, and toolboxes) will be secured within the vehicle prior to authorization for entry. If weapons are found during the search, notify the Military Police. The vehicles and their loads will be thoroughly inspected, including the cab of the truck, interior of automobiles, the trunk or bed area, the engine compartment, and the underside of the vehicle. The exterior of the vehicle will be searched using inspection mirrors.

(3) Vehicles leaving the PCF will be inspected as described above. Particular attention will be given to the cargo of vehicles to insure no unauthorized content or personnel have been hidden.

4011. KEY CONTROL

1. The control of keys is a major element of security. A key control system should include routine (at least monthly) surveys to ensure that the authorized number of keys is available and that they will operate the locks. The system should identify each key or ring of keys and give its location at all times. No key's marking should indicate its function. Locks and keys (including spare keys) for fire escapes and emergency doors must be checked frequently to ensure their operation. Only authorized staff members shall have PCF keys in their possession, and then only during the performance of duties requiring the use of those keys. Keys shall not be taken from the facility. A duplicate set shall be held in reserve for use in emergencies and will be rotated regularly with duty keys to ensure all keys function properly. A third duplicate set of keys shall be maintained outside the PCF and at a secure location providing 24-hour availability. All sets of keys will be rotated regularly (at least every 3 to 6 months) to ensure they function properly.

2. Procedures. Keys shall be located in the control center and, except when in use, shall be stowed in a cabinet or locker that will be secure at all times. Stowage should be such that keys may be readily selected in case of emergencies. The key control system must be rigidly enforced. The control center shall have an accurate key log-book showing the number of each key, name of lock and its location, and the number and location of keys for that lock. Each key or ring of keys shall have its own hook on the key panel board. Staff members authorized to draw keys will use a metal tag system for each key drawn and be required to return the key after use. All keys must be accounted for at all times. The Security Operations Supervisor will be responsible for the key control system within the Base PCF utilizing the following guidelines:

a. Although the primary method of opening most hatches and gates in the PCF is the touch screens located in Control, keys are still an important alternate means of accessing spaces in the event of touch screen malfunction or emergency. The touch screens do not control many of the day worker office spaces, and keys continue to be the primary method to access these spaces.

b. The control of keys is a major element of security. An effective key control system will include periodic surveys to detect improper practices and to ensure that the authorized number of keys are available and properly operate the locks. Locks and keys (including spare keys) for fire escapes and emergency doors must be checked frequently to ensure their operation.

d. Staff members will not enter spaces occupied by prisoners when keys to outside doors are in their possession. Dormitory supervisors will under no circumstances possess keys to outside gates.

e. A sentry within the locked area should have only the keys to a locked sub-area (such as keys to cells within SQ).

f. All staff personnel gaining access to within the security perimeter will be required to turn over all personal keys to Master Control.

2. Procedures. Keys shall be located in the Security Operations office and secured at all times when not in use. The Storage unit is to ensure that all keys are readily accessible in case of emergencies. The key control system must be rigidly enforced. Keys required for the daily operation of the PCF

will be issued to the respective supervisor. The Security Operations Supervisor will be responsible for the key control system within the Base PCF utilizing the following guidelines:

a. The Supervisor will sign for an key tag with an exclusive number associated with that set of keys. The Supervisor will sign into the key log before he is issued the key. When he returns his key, he will be required to sign the keys as returned. Unoccupied office spaces will be properly secured. The individual who possesses the keys to that particular office is responsible to ensure that office is properly secured. Unannounced inspections are required to insure proper procedures are being followed concerning the use of keys. Security Violations will be issued for violations of this policy, and appropriate corrective action will be taken to ensure compliance with this policy. These keys will be accounted for and maintained in the assigned areas.

b. The primary operating keys are those keys that are checked out on a daily basis for the normal function of the PCF. These keys will be stored in Key Box #1 located in the Control Center, and will be inventoried weekly. These keys will be issued on a need to have basis in accordance with the current Key Access List. To check out a key, staff members must be visually recognized by the Contraband staff or show proper ID, and properly log in/out their key in the key log.

c. A duplicate set of keys will be stored in Key Box #2, located in the PCF Commanding Officer's office, and will be inventoried monthly. These keys will be issued in an emergency and then only on orders from the Operations Chief, PCF Supervisor, DBS, and Security Operations Chief.

d. A triplicate set of keys will be maintained in Key Box #3, located in the Security Battalion Armory of BLDG. #2043, and will be inventoried monthly. These keys will be issued only in an emergency situation when access to other keys is not possible. The PCF Supervisor will issue orders when the riot locker keys will be used.

e. The Security Operations Supervisor will ensure a monthly inspection of all key inventories, key logs, access lists, contraband seizures, etc. The results of these inspections will be reported to the PCF Commanding Officer via the PCF Supervisor.

f. The PCF Supervisor is responsible for ensuring section SNCOICs submit changes to the access list for their area of responsibility in a timely manner. The PCF Supervisor will ensure that sections review their access list at least monthly.

g. In the event keys are lost or broken, the DBS, Operations Chief, and Security Operations Supervisor will be notified immediately. Lost or broken keys will be reported by incident report, after which the DBS will initiate a search for lost keys, to include shakedowns. The Security Operations Chief will replace broken keys. In the event a key is lost and can't be located, the Security Operations Supervisor will change the locking mechanism and all keys will be rotated.

4012. VEHICLE, TOOLS, AND EQUIPMENT CONTROL

1. Vehicle Control. Only authorized personnel will have access to operate PCF Vehicles. Vehicles entering/leaving the security perimeter or parked

outside the PCF security perimeter will be inspected, accounted for, and locked when unattended. No privately owned vehicles will be permitted inside the PCF security perimeter. Prisoners will never be allowed to operate a motor vehicle except for riding lawn mowers and tractors, and only after the appropriate training from the Workshop.

a. Procedures

(1) PCF Vehicles

(a) Government vehicles will be used for official business only. All Base PCF staff members are authorized to drive government vehicles as long as they possess a valid driver's license and an authorized trip ticket.

(b) All government vehicles will be parked outside of the fenced area in the staff/visitor parking lot. The Operations vehicle will be parked in the designated area, and the keys to the vehicle will be controlled and accounted for by the Control Supervisor. Whenever the vehicle is left unattended, it will be locked with the windows up, and the keys removed.

(c) The staff member issued the keys is responsible for inspecting the vehicle for damage, cleanliness, and required maintenance. He/she will also inspect all fluid levels on a daily basis and document everything on the vehicle inspection sheet. Discrepancies will be reported immediately to the Dispatcher, who will investigate, and if possible, make a determination of who is responsible. Unless the investigation shows otherwise, the last person using the vehicle is responsible. If damage is discovered, notify the Duty PCF Supervisor (DBS), Operations Chief, and the PCF Supervisor who will investigate the incident.

(d) In case of an accident, notify the proper base or civilian authorities. Do not sign any paper or make any statement as to who was at fault except to your supervisor or to a Federal Government investigator. Get the name and address of each witness. Ask the witnesses to complete a Statement of Witness, Standard Form 94. Complete the Motor Vehicle Accident Report, Standard Form 91, at the scene. Both forms should be picked up when checking out a vehicle from the Motor Pool. As soon as possible, notify your supervisor and the BN Motor Transport Dispatch Supervisor. Submit all reports and data to your supervisor and motor transport within one working day. If you are injured, have the appropriate authorities notify your supervisor. He will assume your responsibilities for reporting the accident.

(e) When a staff member is finished using the vehicle, it will be returned to the appropriate area.

(2) Transportation of Prisoners in Vehicles. Prisoners will be transported using government vehicles only. A staff member or qualified unit chaser will place him/herself between the prisoner, the driver and the exit door.

(3) Parking Lot. Vehicles parked in the visitor/staff parking lot will be locked. Any attached toolboxes, loose tools, ladders, etc. will be locked or secured while parked in the visitor/staff parking area. The area has a sign indicating, "ALL VEHICLES WILL BE LOCKED AT ALL TIMES."

2. Tool And Equipment Control

a. Definitions

(1) Class "A" tools-Extremely Hazardous. Hacksaws and blades, cutting torches, large pipe wrenches, knives, bolt cutters, axes, and screwdrivers.

(2) Class "B" tools-Hazardous. Shovels, picks, hammers.

(3) Class "C" tools-Non-Hazardous. Rakes, garden hoses, sprinklers.

b. Review. Security Operations will review Tool and Equipment Control policy and procedures at least annually, and submit updates to the Operations Chief for changes to this PCF SOP.

c. All tools, culinary, and medical equipment will be closely monitored and supervised by staff members at all times and secured when not in use. The following procedures will be adhered to:

d. General Staff Procedures

(1) The number of tools will be kept to a minimum and an accurate up-to-date daily inventory of all tools will be maintained.

(2) "Shadow boards" will be established and utilized in rooms that are secured at all times unless PCF staff members are present.

(3) Tools will be checked out to staff members or prisoners to ensure that responsibility for each tool can be determined at all times. This will be accomplished by maintaining appropriate logbooks that record items checked in/out, location, time in/out, by whom checked out.

(a) Kitchen knives, meat saws, cleavers, ice picks, and barber tools shall be included in tool control. Where medical facilities exist, surgical knives and hypodermic needles shall be included.

(4) Staff members will frequently verify the location of tools and ensure that hazardous tools are only used under staff supervision.

(5) Supervisors will conduct regular unscheduled inspections/inventories of all tools.

(6) All lockers, offices, tool rooms, and other areas containing tools must be locked when not in use. When the staff member leaves the area, the door must be locked regardless of the time period away from the office. All tools will be accounted for at the end of each work period. Prisoners will not be allowed to leave the work area until all tools are accounted for.

(7) Lost tools will be reported immediately to the Operations Chief and the Duty PCF Supervisor so a search can be initiated. An incident report will be completed. The incident report will be submitted as soon as possible to the Operations Chief. This report shall identify the tool(s) that are lost or missing and the circumstances surrounding that absence. The Work Area Supervisor shall maintain a copy of the lost tool report until the tool is found removed from inventory.

(8) The Mess Deck Supervisor must maintain proper accountability of the galley utensils and silverware on the Mess Deck.

e. Tool control is essential to the security of the PCF. Small tools as well as large will be marked/tagged-for identification and closely controlled. Each staff member must report violations of the tool control plan. Ladders, rope, and other equipment that can be used for escape purposes or for weapons should be included in the tool control plan.

f. PCF Medical Clinic

(1) Medical supplies, such as surgical knives and blades and hypodermic needles will be handled as Class "A" tools and be under direct Medical supervision at all times or maintained in a locked storage area or container. Because of size and character, medical tools shall not be marked, if the marking interferes with its use.

(a) Reserve stock of hypodermic needles and syringes shall be kept in a locked and secure cabinet and each watch will maintain a daily perpetual inventory of all needles and syringes, by sizes; surgical and razor blades or other disposable medical items know as "sharps". Only the minimum number of syringes and needles for proper operation of the Medical Division shall be available. All used and unserviceable syringes and needles shall be crushed or disposed of by the corpsman in the manner prescribed by the Medical Officer, per the Medical Waste HAZMAT Plan, in order to keep them out of possession by prisoners.

(b) If a sharp is not accounted for on the inventory, all medical personnel will be canvassed to ensure the item was not used and not recorded on the perpetual inventory. If the item is found to be truly missing, the DBS and Operations Chief will be notified immediately so a search can be initiated.

(c) Medical will conduct a weekly inventory of sharps used and number of new stock received. Contraband will verify this count and include it in the monthly Security Calendar for review by the Operations Chief.

(d) Narcotics and other medicinal control items will be secured in a locked container when not in use.

g. Galley Utensils

(1) Utensil Issue. All galley utensils, such as knives, blades, meat saws, cleavers, and ice picks are classified as Class "A"-Extremely Hazardous and will be stored in a locked cabinet on a shadow board when not in use. Issue of kitchen tools will be kept to a minimum, taking into account the requirement for preparation and service of food. The Galley Supervisor will issue and maintain supervision at all times of mess deck cooks and prisoner mess men utilizing kitchen tools. The Galley Supervisor will maintain an accurate log of each tool issued, showing to whom it was issued, when it was issued, the serial number, and when it was returned.

(2) Knife and Silverware Inventory Verification. The oncoming Messdeck Supervisor will verify utensil and silverware inventories before relief of the off-going supervisor and at the end of each meal. A reasonable time will be allowed at the conclusion of the meal to ensure these utensils are properly cleaned and sanitized prior to inventory. The Messdeck Supervisor will report the outcome of the inventory to the Control Supervisor and secure all utensils not in use in the locked cabinet.

(3) Unused Utensils. Any items from the utensil cabinet that are found adrift or used by an unsupervised prisoner will be confiscated.

h. Silverware Control Procedures

(1) Galley Supervisor Issue. Galley personnel will bring silverware from a secure cabinet just prior to meal service.

(2) Silverware Responsibility. The Mess Deck Supervisor is responsible for the silverware during the meal, or until the last set of silverware is turned in. This position is a post, and as such, the person assigned to it will remain at the post and will not be distracted from the duties assigned.

(3) Prisoner Silverware Issue. The clean silverware will be placed at the head of the serving line and as each prisoner or staff member enters the serving line, they must take one knife and one fork and one spoon under the supervision of the Mess Deck Supervisor or assigned Dorm Supervisor.

(4) Silverware Turn-in. Prior to each prisoner or staff member returning their tray after each meal, the Mess Deck Supervisor or Dorm Supervisor will verify the individual has one knife and one fork and one spoon and drop each in the respective soaking container by the scullery window. Prisoners will not be allowed to bunch-up in front of the containers.

(5) Silverware Count. After the last set of silverware has been returned, the Mess Deck Supervisor will forward the soaking trays to the scullery where she/he will supervise the prisoners washing the silverware. The Mess Deck Supervisor will then count the silverware, and once it has been verified by the DBS, the silverware will be returned, including unused silverware from the serving line, to verify that all sets were returned and are accounted for. The Messdeck Supervisor will then secure all silverware until the next meal.

(6) Report. After each meal, the Mess Deck Supervisor will call Control to report either a satisfactory or unsatisfactory count. Control will log the result of the silverware count into the PCF Log.

(7) Written Inventory. The Galley Supervisor will complete an inventory of all culinary equipment to include silverware at the conclusion of each meal. This written inventory will be turned into the DBS at the end of the day for inclusion in the information reviewed by the Operations Chief and Officer daily.

(8) Broken Silverware. The Messdeck Supervisor will report broken silverware to the Duty PCF Supervisor as soon as possible. The broken silverware and an incident report will be submitted to Security Operations. The silverware will be removed from inventory until it is replaced with a new properly etched tool.

(9) Procedures for Missing Silverware or Knife. In the event a galley utensil/knife is found to be missing, the following procedures will take place:

- (a) Inform the (DBS) of the specific item missing.

- (b) Check all waste receptacles and garbage grinders.
- (c) Check the debris screens in the scullery machine.
- (d) Check all work areas in use prior to the item disappearing.
- (e) Frisk search all prisoners.
- (f) Verify the mess hall cooks do not have the item.

(g) If the above methods do not reveal the missing item, the Galley Supervisor will notify the Duty PCF Supervisor (DBS), and Operations Chief. The DBS will initiate a PCF-wide search for the missing item and Control will make a PCF Log entry referencing the search start/stop time and final status of the missing item. The DBS will notify the Operations Chief, PCF Supervisor, and PCF Commanding Officer after the above procedures have been completed.

1. Trash Removal. Trash receptacles will not be removed for dumping until a Galley Supervisor has accounted for all silverware and culinary equipment and reports the status of the inventories to the Control Supervisor.

4013. VOLATILE/POISONOUS/HAZARDOUS SUBSTANCE CONTROL

1. Definitions

a. Flash Point - The minimum temperature at which a liquid will give off sufficient vapors to form an ignitable mixture with the air near the surface of the liquid (or in the vessel used).

b. Flammable Liquid - A substance with a flash point below 100 degrees Fahrenheit (37.8 degrees Centigrade). Classified by flash point as a Class I liquid.

c. Combustible Liquid - A substance with a flash point above 100 degrees Fahrenheit. Classified by flash point as a Class I or Class II liquid.

d. Toxic Material - A substance that, through chemical reaction or mixture, can produce possible injury or harm to the body by entry through the skin, digestive tract, or respiratory tract. The toxicity is dependent on the quantity absorbed and the rate, method, and site of absorption.

e. Caustic Material - A substance capable of destroying or eating away by chemical reaction.

f. It is possible that a substance may possess more than one of the above properties; therefore the safety for all applicable properties should be considered.

2. Flammable, toxic, and caustic materials, such as cleaning supplies, insecticides, kerosene, and all other materials that may cause death, blindness or other permanent disabilities, shall be secured in accordance with applicable Navy/Marine Corps policy and Occupational Safety and Health Administration standards. Prisoners will not use these items without direct PCF staff supervision and these items will be secured when not in use. All

cleaning supplies will be properly accounted for at all times. Prisoners on work details will properly relinquish all cleaning supplies upon completion of the work detail to the work supervisor and prior to returning to their berthing area.

a. Medical Supplies. Medical supplies containing a narcotic, alcohol, or poison requires special handling and accounting to provide adequate protection against negligence, theft, or misappropriation. These supplies shall be controlled in accordance with rules set forth in the Manual of the Medical Department (NAVMED-P117) and this directive. When such supplies are needed for use, only authorized medical personnel will draw them. Only medical staff members will issue or distribute medication. Prisoners will never be left unaccompanied in the PCF medical. All narcotics and prescription-type medicine will be stored in medication lockers that will be bolted to the bulkhead or deck.

b. Storage of Flammable and Combustible Liquids. Flammable and combustible liquids will be stored outside the security perimeter in approved locked storage lockers at the Workshop. The mixing of paints or varnishes requiring the use of commercial thinners or alcohol shall be done in an approved storage locker in the Workshop area to contain spills. While using flammable and combustible liquids, prisoners will be directly supervised by staff personnel. Only the amounts necessary to complete a task will be issued to any individual. All flammable and combustible liquids will be stored in original shipping containers or approved safety cans listed or labeled by a nationally recognized testing laboratory. All containers will have legible labels identifying the contents.

c. Flavoring Extracts and Food. Particular attention must be given to the control of flavorings and extracts that contain alcohol. Alcoholic concoctions can be brewed from vegetables, sugar, yeast, cereal, raisins, prunes, and other dried or fresh fruits used daily in preparing meals. Food service personnel must closely supervise the issuance of foodstuffs from storerooms and during food preparation to prevent theft of material for making alcoholic beverages.

d. Poisons. Various compounds such as pest and rodent control powders and liquids, toilet bowl cleaners, soaps, detergents, and disinfectants must be controlled. These items will be stored in secured lockers in Room 121 and be under the direct control of the Security Operation Section. These items will be dispensed only in quantities required for immediate or daily use.

3. PROCEDURES

a. Main Facility

(1) An authorized custodian from the Hazardous Materials Locker will dispense all flammable, toxic, and caustic substances used in the Main Facility of the Quantico Base PCF. Flammable, toxic, and caustic materials are to be stored in their original containers in a secure area and the manufacture's label must be kept intact on the container. Any container used for diluting substances will be a suitable type and will be clearly labeled to identify the contents. The Material Safety Data Sheet (MSDS) for each substance will be maintained in a file located in the Hazardous Materials Locker and will be updated at least annually. Constant inventories will be maintained for all flammable, toxic, and caustic substances used and stored in the Hazardous Materials Locker.

(2) All substances will only be issued in the amount necessary for one day's use or to last through a weekend and will only be issued to a qualified staff member. The receiving staff member will be required to sign for all substances and will be required to turn in all remaining substances upon completion of their use. Prisoners should never possess such items unless under the close supervision of qualified staff.

(3) It is the responsibility of each person using these substances, whether they're a staff member or a prisoner, to follow all prescribed safety precautions and to wear the proper protective equipment when using these substances.

(4) Excess substances must be disposed of properly. The MSDS for each substance prescribes the proper method of disposal and related precautions. Any rags that are used in conjunction with any of these substances will be laundered daily before being reused.

(5) Substances that are not flammable, toxic, or caustic, but are labeled "Keep Out of the Reach of Children" or "May Be Harmful If Swallowed" are not prohibited, but must be stored in a secure area that is inaccessible to prisoners.

b. Workshop

(1) All work involving the use of hazardous materials that generate hazardous waste and/or processes that generate hazardous waste must be reported to the Workshop Supervisor in advance. This should be done prior to the start of each job so that the workers performing the work will receive waste management and disposal instructions.

(2) All hazardous materials will be stored in a secure location in an OSHA approved storage container. These storage containers will be locked when not in use to prevent access by unauthorized personnel. Proper procedures will be followed when dispensing and using all hazardous substances.

(3) The Workshop Supervisor will be responsible for ensuring that all containers are properly labeled. The Workshop supervisor will also ensure that a MSDS is present and available for review for each required substance.

(4) The Workshop Supervisor will contact the Hazardous Material Treatment, Storage, and Disposal Facility when the disposal of hazardous waste is necessary. In no circumstances will hazardous material be stored for more than 45 days.

(5) If a spill occurs, the person discovering the spill will contact the Workshop Supervisor. The Workshop Supervisor will determine if qualified local staff members can clean the spill or if the spill requires a more specialized department to clean the spill. The Workshop Supervisor will contact the Environmental Protection Specialists for any spill that occurs, regardless of who conducts the clean up. For spills of 200 gallons or more, the Workshop Supervisor will contact the Assistant Chief of Staff for Environmental Security. The Workshop Supervisor can conduct spill clean-up if he has had the First Responder's Training.

(a) An appropriate spill kit will be maintained within the Workshop compound and used to clean up all spills. The absorbent items will be compatible with the hazardous wastes stored in the Workshop compound.

(6) The inspection of these substances will be in conjunction with other required inspections. All results of the inspections will be recorded accurately and maintained in accordance with appropriate regulations. Any deficiencies should be corrected immediately. Formal weekly Safety Inspections will be conducted and documented for each area of the Industrial Workshop.

(7) Cloths that are contaminated with paint, solvent, oil, grease, or other waste substance will not be reused. The cloths will be separated, packaged, and turned over to the base Hazardous Waste Site in compliance with base orders.

4014. ESCORTS

1. Temporary Absences. Prisoners may occasionally have to leave the confines of the Base PCF for court appearances, medical appointments or emergencies, or visits to their lawyers. The PCF Commanding Officer or, in his absence, the PCF Supervisor will approve all temporary absences. The PCF Officer will approve Temporary absence requests for maximum custody prisoners.

a. The Programs Section will record all appointment requests on the Daily Change Report and may utilize CORMIS for this function. The PCF Supervisor will review and approve the appointment list. The Receiving and Release NCO will generate a Receipt of Prisoner or Detained Person (DD Form 2708) forms for each prisoner at the time of the temporary absence.

b. The Receipt of Prisoner or Detained Person forms are dated and timed by Receiving and Release, and the unit escort signs for the prisoner. Receiving and Release annotates it in their logbook and notifies Control for annotation in the PCF Log. The escort takes the original with him. Upon return, Receiving and Release puts the date and time of return on the original, annotates the prisoners return in his log, notifies Control for annotation in the PCF Log, and returns the original receipt to Administration Office for filing.

2. Escort Training. All escorts will attend chaser class to ensure they understand all rules and regulations pertaining to the PCF and the handling of prisoners.

a. The PCF Supervisor will establish courses of instruction and is responsible for ensuring that all prospective escorts have proper qualifications and receive instruction. The course will include lecture, training films, prepared study materials, and demonstrations. Course completion certificates will be generated and issued to qualified escorts.

b. Escorts shall be responsible for the custody, conduct, appearance, and treatment of prisoners in their care until returned to the Base PCF. Escorts will be given clear instructions as to their duties and responsibilities. They will not relinquish this responsibility or their prisoners except to competent authority at the Base PCF. They are instructed to immediately contact the Base PCF if they encounter any situations that

require them to deviate from the instructions they received from the Base PCF.

c. Unit escorts dispatched by the prisoner's command must be listed in the master "Escort Roster" as having completed the escort certification course within the last twelve months.

d. Security Operations will visually spot-check escorts to ensure proper procedures are being followed.

3. Escort To Prisoner Ratio

a. Maximum custody prisoners require constant and immediate supervision by two escorts trained by the PCF.

b. Medium In prisoners require constant and immediate supervision by two escorts trained by the PCF.

c. Medium Out prisoners require constant and immediate supervision by one escort trained by the PCF.

d. The only exception to the constant and immediate supervision escort requirements is for privileged or attorney/client communications. In this situation, escorts will remain immediately outside the door of the interview room.

4. Restraints. Instruments of restraint are not used to degrade or punish prisoners, but rather to reduce obvious probability of escape, assault, and disruptive behavior that would threaten the welfare and safety of the prisoner, his escorts, and the Quantico community.

a. See paragraph 4005 for Restraint Requirements.

b. Care should be taken not to unnecessarily display restrained prisoners to the general public.

c. Under no circumstances will escorts be armed unless restraining devices are being used and proper authority decides armed escorts are needed. When firearms are carried they must be kept in a safe and secure place or on the person of an individual who will not, during the entire trip, come in direct contact with the prisoner. Firearms must not be carried by an escort within a car, bus, aircraft, or train unless positive precautions have been taken to ensure avoidance of contact between prisoner and escort. Escorts aboard regularly scheduled airlines will be armed only for maximum risk prisoners and must comply with Federal Aviation Administration (FAA), military and airline regulations.

d. When a detainee goes to court and receives a sentence of "time served", the unit escorts will call the PCF, advise them of the sentence, and await certification of the sentence computation before being instructed that no restraints will be required upon transport back to the PCF.

5. Work Details. Prisoner escorts and work supervisors in charge of work details must have knowledge of the work to be performed to properly instruct the prisoners and assign them to their duties. The escort must be alert, know how many prisoners he has, and where they are at all times. Prisoners

shall not be allowed to talk with unauthorized persons or in any way violate the security regulations of the PCF.

a. The number of prisoners assigned to each escort shall be determined by the prisoner custody classifications and the location of the work project.

b. Correctional Specialists, MOS 5831, may escort and supervise up to ten prisoners each.

c. This policy in conjunction with ref (a) provide that no prisoner or group of prisoners will not be assigned any duty involving custody, control, or authority over other prisoners.

4015. PREVENTION OF DISTURBANCES

1. All Staff are trained in the implementation of written emergency plans. Work stoppage and riot/disturbance control plans are communicated only to the PCF Commanding Officer, PCF Supervisor, Duty PCF Supervisor, Operations Chief, and Security Operations Chief or other personnel directly involved in the implementation of those plans.

a. New staff will be required to go through a 40-hour Pre-service Class that includes emergency plans.

b. All clerical and support staff that have minimal contact with prisoners will attend 16 hours of In-service training that includes emergency plans.

c. All other correctional and support staff that have daily contact with prisoners will attend 40 hours of In-service training that includes emergency plans.

2. Written plans will specify the procedures to be followed in situations that threaten institutional security, such as riot and disorder, escape, disturbance control/emergency conditions, bomb threat, disaster, fire, and the taking of hostages. These plans will be part of the Post Orders on applicable posts, except for the Work Stoppage and Riot and Disorder plans, and the Operations Chief will review the plans at least annually and update them as needed.

3. Since a prisoner may reveal a potentially dangerous situation to the PCF staff, no staff member will deny a prisoner access to the DBS. The DBS will make the decision whether or not to see a prisoner. All staff shall be aware of the causes of disturbances and take all possible steps to detect or eliminate them before they lead to a disturbance.

4. Procedures

a. Hunger Strikes

(1) All meals not eaten will be documented in post logbooks and the chain of command notified.

(2) If three consecutive meals are missed, medical staff will be notified.

b. Refusal of Food. The PCF Commanding Officer is responsible to monitor the health and welfare of individual prisoners, and to ensure procedures are followed that minimize the chance of prisoner self-inducing grievous harm as a result of a hunger/drinking strike.

(1) Prisoners are on a hunger strike when they communicate that fact to staff and are observed by staff to be refraining from eating for a period in excess of 72 hours (nine meals).

(2) Prisoners are on a drinking strike when they communicate that fact to staff and are observed by staff to be refraining from drinking for a period in excess of 48 hours.

c. Referral

(1) Staff shall refer the prisoner observed to be on a hunger/drinking strike to a medical officer for evaluation and, when appropriate, for treatment.

(2) When staff considers it prudent to do so, a referral for medical evaluation may be made without waiting 72/48 hours. A hunger/drinking strike may be announced by the prisoner, or observed by staff. At times, an allegation of a hunger/drinking strike will be made that is not reflected by any overt action, and is merely a bid to gain attention. Prisoners with metabolic or certain other illnesses, who deviate from normal eating habits or intake of fluid, could experience an immediate, adverse physiological or psychological reaction. For other prisoners, a deviation from normal eating or drinking habits may represent a manifestation of a mental disorder. In any case, it is recognized that after long-term deprivation of food and shorter-term deprivation of fluids, serious irreversible changes or even sudden death may occur.

(3) When considered medically appropriate, the PCF medical staff shall recommend the prisoner be transferred to a Military Treatment Facility (MTF) for inpatient admission in a locked hospital ward or other medically appropriate secure room when available depending on custody. The decision to admit a prisoner to an inpatient status shall be made by a health care practitioner with admission privileges at the MTF. Indications for hospitalization during fasting include but are not limited to: more than 10 percent weight loss, elevated heart rate, edema, increasing blood urea nitrogen and decreased mental status. PCF O or security personnel while in the MTF shall maintain the prisoner under close observation. Prisoners in administrative or disciplinary segregation may be retained in their respective housing units unless the medical staff determines movement to other quarters is medically necessary.

d. Reporting. NAVPERSCOM (PERS-68) or CMC (PSL Corrections) is to be alerted immediately of any hunger/drinking strike, and shall be kept continually advised.

e. Liquid/Food and Input/Output

(1) Staff shall provide and deliver to the prisoner's cell, three meals a day or as otherwise authorized by the PCF medical officer. A verbal offer of a meal shall not suffice.

(2) Staff shall provide the prisoner an adequate supply of drinking water. Other beverages shall also be offered.

(3) If ordered by the PCF medical officer, all food and water to be given to the prisoner and any intake by the prisoner shall be measured and recorded for subsequent evaluation. All output shall be measured and recorded, to the extent possible. These procedures shall continue until terminated by the PCF medical officer or transfer to the MTF.

f. Initial Medical Evaluations and Management

(1) Medical staff shall perform an intake history and a general physical examination upon initial referral of a prisoner on hunger/drinking strike to include:

(a) Height and weight measurements.

(b) Vital signs

(c) Urinalysis.

(d) A complete blood count, blood chemistry tests and other tests as indicated by medical evaluation.

(e) A mental status examination.

(2) Medical staff shall take and record weight and vital signs at least once every 24 hours while the prisoner is on a hunger/drinking strike.

(3) When a valid medical reason exists, medical staff may modify, discontinue, or expand any of the medical procedures described above.

(4) When a prisoner on a hunger/drinking strike is transferred to a MTF, security shall be maintained.

(5) Medical staff shall record, in the appropriate section of the prisoner's medical file, entries for all medical procedures described in this section.

g. Refusal to Accept Treatment

(1) When the PCF medical officer determines that the prisoner's life or permanent health will be threatened if treatment is not initiated immediately, the PCF medical officer shall give consideration to forced medical treatment of the prisoner. The decision to force treatment upon the prisoner is a medical decision with legal implications. The PCF medical officer must be convinced, to a reasonable medical certainty, that the life or permanent health and well being of the prisoner is immediately threatened.

(2) When it appears to medical staff that the situation is deteriorating to the extent that intervention may become unavoidable, the case shall be referred to an appropriate staff judge advocate for advice.

(3) Prior to medical treatment being administered against the prisoner's will, the PCF medical officer shall take reasonable steps to obtain informed consent for treatment. Medical/health risks faced by the prisoner, if treatment is not accepted, shall also be explained. Discussion should include the risks, benefits, and alternatives to therapy, be documented in detail in the prisoner's medical records, and be signed by the prisoner or a witness. A chaplain/mental health professional may be needed during this process.

(4) When, after reasonable efforts to obtain the prisoner's consent fails or if an emergency prevents efforts to obtain the prisoner's consent, and a medical necessity for immediate treatment of a life or health-threatening situation exists, the medical officer may order that treatment be administered without the consent of the prisoner.

(a) Treatment efforts shall be documented in the medical record of the prisoner. The PCF Commanding Officer shall provide prompt notification to NAVPERSCOM (PERS-68) or CMC (PSL Corrections) of any forced treatment, with a full explanation of the background and reasons for the treatment. Written follow-up reports of such treatment shall be submitted to NAVPERSCOM (PERS-68) or CMC (PSL Corrections). Forced treatment must be cleared through the staff judge advocate unless precluded by medical emergency.

(b) Only the PCF medical officer may order forced medical treatment once legal consent obtained, unless precluded by medical emergency.

(5) Medical staff shall normally continue clinical and laboratory monitoring, as necessary, until the prisoner's life or health is no longer threatened. Treatment shall normally continue until adequate oral intake of food and liquid is achieved.

(6) Medical/clinical staff shall continue medical, psychiatric/psychological follow-up as long as necessary.

h. Release from Treatment. Only the medical officer may order a prisoner be released from hunger/drinking strike intervention and treatment. This order shall be documented in the prisoner's medical record.

5. Use of non-lethals may be authorized by the PCF O, or higher authority. Where authorized, the PCF O shall publish policy governing training requirements and application.

a. Chemical Agents:

(1) Chemical riot control equipment may be used only upon order of the PCF Commanding Officer, and only by a person trained in its use. For the Quantico Base PCF all uses of chemical agents will be referred to the Security Battalion Special Reaction Team (SRT) SNCOIC at 432-1175 who is the trained riot force of the command. Oleoresin Capsicum (OC) and Ortho-Chlorobenzylidene Malonitrile (CS gas) may be used in the Quantico Base PCF.

(2) Whenever a chemical agent is used, a detailed description of the circumstances attending its use will be reported telephonically immediately to the HQMC (PSL Corrections) with follow-up reports as soon as additional information becomes known.

4016. LOCKERS AND FURNITURE

1. Visiting room furniture should be informal and casual to create a relaxed atmosphere. The use of outside areas with wooden lawn furniture is encouraged. Prisoners requiring special handling may be required to visit in non-contact visitation booths. Bus station type lockers shall be available for visitors to store their purses, packages, or other materials not authorized within the visiting area.

2. Official visitors shall be afforded privacy. Whenever feasible, private facilities and access to a telephone will be made available for reviewing officer hearings, defense counsel, and command visits. These facilities will be furnished with only two seats, a writing desk or table, and a light fixture. Windows will be security type. These rooms should be equipped with a security door complete with view port. Two way intercoms or other listening equipment shall not be installed in this area.

4017. FIRE PROTECTION REQUIREMENTS

1. Firefighting equipment must be provided in accessible locations and kept in working order. Fire extinguishing devices using any chemical harmful to personnel shall not be available to prisoners or located in prisoner areas.

2. Quarterly fire drills are required and will be coordinated with command firefighting personnel.

3. Emergency Breathing Devices (EBDs) shall be maintained in the control center for use by selected staff in case of fire or smoke in areas where prisoners or staff will need assistance.

CHAPTER 5

	REPORT TITLE	PARAGRAPH
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Chapter 5

DISCIPLINE

5000. PRISONER DISCIPLINE

1. Definitions.

a. Discipline. Training of mind and character that establishes control, order, and obedience to rules of personal conduct.

b. Pending Investigation (PI). A prisoner status to preserve good order and discipline pending disposition of an investigation.

c. Hard Card. A locally generated form (sized to 5x8" index card) to locally record all actions involving prisoners. This includes but is not limited to actions directed from the DCR, all verbal counseling's, observation reports and disciplinary reports. Each Dorm/Quarters Supervisor will maintain a hard card on each prisoner berthed on their respective post.

d. Verbal Counseling. An on the spot correction, guidance or note of positive performance on a prisoner during his daily routine. Verbal counseling should be followed up the same date with an annotation on the prisoners hard card noting the positive or negative behavior witnessed.

e. Observation Report (OR). Form DD-2713 is the standard document to be utilized in recording notable positive or negative behavior in prisoners. In cases of negative behavior, the observation report should be used to address minor offenses that do not warrant more severe action. This report can be utilized as a means to document patterns of performance and behavior, both positive and negative.

f. Disciplinary Report (DR). Form DD-2714 is the standard document used to report more serious violations or repeated disregard (pattern of misconduct) for regulations.

g. Special Quarters. Special Quarters is the designated single cell segregation area within the PCF. Special Quarters is utilized as the designated housing unit for the facilities prisoner population. The main segments include general population, medical, administrative and disciplinary segregation for the prisoner population. Segregation may be utilized to enhance the security and the orderly operation of the PCF.

2. Policy.

a. As set forth in SECNAVINST 1640.9, it is the Secretary of the Navy's policy that confined military personnel retain all their rights and the same responsibilities as service personnel in a duty status except those that are expressly, or by implication, taken away under the provisions of the Uniform Code of Military Justice and such regulations as may be promulgated by competent authority.

b. Discipline shall always be exercised in a firm and impartial manner and at the lowest appropriate level. The focus of Marine Corps discipline is to provide a structured, orderly, and humane environment in which prisoners can make requisite, positive personal changes that enable them to either complete their military service honorably or lead productive, law-abiding lives as ordinary citizens.

5001. ADMINISTRATIVE DISCIPLINARY PROCEDURES.

1. Minor Offenses.

a. Verbal Warning. Is the act of calling the prisoner aside and explaining in conjunction with the prisoner rules & regulations, why the behavior is unacceptable. Excessive use of written Observation Reports (OR's) or Disciplinary Reports (DR's) may reduce there effectiveness. A staff member shall give on-the-spot corrections when the offense is minor and only a verbal warning is warranted. Verbal warnings and on-the-spot corrections may be annotated on the prisoner's Hard Card.

b. Observation Reports (OR's). These reports may be either positive or negative in nature and enhances the staffs ability in maintaining a complete documented record of a prisoners conduct while confined.

(1) A negative Observation Report may be given for repeated minor infractions of a similar nature (pattern of misconduct) or the first occurrence of an infraction of a moderate nature, but which does not rate a Disciplinary Report.

(2) Positive Observation Reports are normally given for prisoners who do an exceptional job either in volunteering or in the performance of their regular duties.

(3) Excessive use of Observation Reports, positive or negative reduces their effectiveness. All Observation Reports will require a corresponding entry documented on the prisoner's hard-card. Negative Observation Reports are for resolving minor infractions of rules and will list the rules violated.

(a) The prisoner will be required to sign the Observation Report to signify knowledge of submission.

(b) The report will be forwarded via the DBS, Operations Chief to the PCF Supervisor. The PCF Commanding Officer has directed that the PCF Supervisor will review and sign the completed reports. The Administration section will receive the completed OR for inclusion in the prisoner's confinement record.

(c) The DBS will complete this process within 24 hours.

2. Serious/Multiple Offenses (Pattern of Misconduct). When a violation of the PCF rules requires formal resolution, staff members will submit a Disciplinary Report (DR) to the PCF Commanding Officer via the chain of command. DR's will be reserved for serious offenses, or to interrupt a pattern of unacceptable behavior, such as a series of minor infractions in a short period of time. The following procedures shall be followed when a prisoner commits an infraction of regulations, and an on-the-spot correction (verbal counseling) or a written Observation Report is not considered appropriate. When an alleged rule violation is reported, an appropriate investigation will be initiated within 24 hours of the time the violation is reported. This should be completed without reasonable delay, unless there are extenuating circumstances for delaying the investigation, any delays will be reported to the PCF Supervisor. The DR will be submitted to the PCF Commanding Officer via the chain of command and follow the procedures below:

a. When a staff member reports an offense, the prisoner shall be immediately informed at that time of the nature of the charges or allegations

of which he is accused. The Disciplinary Report shall be used in reporting offenses.

b. The DBS will be advised of the staff members intent to file the report. If an internal move of the offender to Special Quarters (SQ) is required, the DBS will complete a Special Move Chit and move the prisoner to SQ, pending investigation (PI). PI status may be imposed when necessary to maintain good order and discipline of the PCF. The PI status will be reviewed during the next Classification and Assignment (C&A) board and forwarded to the PCF Supervisor, PCF O, or designated representative.

c. Contraband or other evidence substantiating the charge will be confiscated and documented on an Evidence/Property Custody Receipt (OPNAV 5527/22). The items and original receipt will be placed in safekeeping by the Duty PCF Supervisor. A copy of the receipt will be attached to the DR, and a copy will be given to the prisoner.

d. The DR shall contain information to clearly identify the offender as well as the following information:

- (1) Specific rule(s) violated.
- (2) A formal statement of the charge.
- (3) Any unusual prisoner behavior.
- (4) The names of staff or witnesses, if any.
- (5) Disposition of evidence, if any.
- (6) Any immediate action taken, including any use of force.
- (7) Name and signature of the person making the report.
- (8) The date and time of the report.
- (9) The date, time, and place the offense occurred.

e. After the DR is completed and reviewed for comprehensiveness a staff member (normally the DBS) will initiate a preliminary investigation which will be recorded on the DR (DD 2714 blocks 9-12). The following will occur during the initial investigative process.

(1) The prisoner will first be read his rights and will initial and date next to each statement regarding his Article 31 rights.

(2) He will elect by initialing next to the appropriate space if he desires the 24 hour delay for the Discipline and Adjustment Board (D&A Board) or if he waives this right and desire to proceed at the earliest time as may be suitable for the president of the board, but not later than 72 hours (Three administrative days) after the report is initiated unless an extended period is required for investigative purposes and this extension has been granted by the PCF Commanding Officer.

(3) The appointed investigator will provide a copy of the DR to the prisoner at this time and review it with him. This is the prisoners copy and it will not be collected back from him during this process.

(4) The investigator will conduct the investigation, interviewing the accused prisoner and any witnesses to the event as may be required, whether staff or inmates within the population. Written statements may be taken as may be required for the record.

(5) The investigator will record his findings and forward the original DR with attachments as may be required to the Initial Reviewing Authority (normally the Operations Chief) for further review and inquiry as is required.

f. The Initial Reviewing Authority will review the DR for content, clarity and appropriate charges.

(1) He will conduct an inquiry which will include an interview with the accused prisoner and will report his findings in the appropriate section of the DR.

(2) Upon completion of the inquiry/investigation by the Initial Reviewing Authority the DR will be forwarded to the senior member of the Discipline and Adjustment Board (D&A Board) (PCF Administrative Chief). At the time the DR is received by the president of the board, the document should be completed through block 13.d. Any delays throughout this process will be reported to the PCF Commanding Officer via the PCF Supervisor.

g. The senior member of the Disciplinary and Adjustment Board will notify the remaining members of the board of the date, time and location of the board. The board will commence no later than 72 hours (three administrative days) after the prisoner has been placed on report.

(1) Primary and secondary board members are appointed according to billet and the appointment letter will be on file in the PCF Administration Office.

(2) The Senior Member of the D&A Board will ensure compliance with ref (a) in the execution of the board process.

(3) The senior member of the board will ensure that the following annotations are made on the Disciplinary Report.

(a) Charges - including any added by the board (added charge shall be identified accordingly)

(b) Offense Category - as annotated in senior directives

(c) Offense Severity - as annotated in senior directives

(d) Plea - prisoner's plea at beginning of the board

(e) Finding - Guilty, Not Guilty, Dismissed

(f) Vote - (Guilty/Not Guilty, in number value (i.e. 2/3)

(g) Members - rank and last name

(h) Board findings

(i) Recommendations to the Reviewing Officer

(4) PCF Commanding Officer may dismiss or approve the D&A Boards recommendation. If Disciplinary Segregation or Loss of Days is recommended, the PCF O will make final disposition.

(5) Nothing stated above should in any way prohibit or impede the immediate action cognizant by staff to react quickly to any situation that possesses a serious threat to the good order and discipline of the institution.

3. Discipline and Adjustment (D&A) Board.

a. The Board will convene with at least three members that have no personal interest in a given incident. The PCF O will appoint a staff member in writing to chair the Board.

b. In the absence of a specific finding that would adversely affect the security and good order of the PCF, prisoners will be allowed to make verbal and written statements, to call witnesses for the presentation of relevant testimony, and to present documentary evidence in their defense. If a prisoner is denied permission to have a witness appear on his behalf, the reason will be documented in writing and forwarded to the PCF CO. The prisoner has no right to cross-examine witnesses. In cases where the security or good order of the PCF would be adversely affected, the identity of witnesses will not be revealed to the prisoner.

c. Prisoner Representation. Prisoners will be present at their D&A Board hearings unless they waive their right to appear before the board in writing or through their behavior. Prisoners may be excluded during testimony of any prisoner whose testimony must be given in confidence. The reasons for the prisoner's absence or exclusion are documented. A prisoner may waive his right to a hearing. The waiver will be documented and reviewed by the PCF Supervisor or designee within 24 hours.

(1) Prisoners have the opportunity to make a statement and present documentary evidence at the hearing and can request witnesses on their behalf. The reasons for denying such a request are stated in writing.

(2) A staff member or representative may assist prisoners at hearings if requested. A representative is appointed when it is apparent that a prisoner is not capable of collecting and presenting evidence effectively on his behalf.

(3) In all cases, prisoners will be allowed to appear and make statements in their defense, and to be present during all open sessions of the hearings.

(4) Prisoner may waive their right to appear in writing, or forfeit their right due to inappropriate behavior. The PCF CO or his designee will review these instances. Prisoners may be excluded during testimony of any prisoner whose testimony must be given in confidence. The reasons for the prisoner's absence or exclusion must be documented.

(5) There is no right to legal counsel during the hearing. This is not a criminal trial; it is an administrative proceeding. Its purpose is to determine whether an offense was committed and to provide punishment.

d. Administrative Proceeding.

(1) Prisoners charged with rule violations are scheduled for a hearing as soon as practical and no later than seven days, excluding weekends and holidays, after the alleged violations. Prisoners will be notified of the time and place of the hearing no less than 24 hours prior to the Discipline and Adjustment Board hearing.

(2) There may be a postponement or continuance of the D&A Board for a reasonable period and good cause. D&A hearings may be postponed or continued to allow further investigation of the case, the prisoner to prepare a proper defense, to provide an opportunity for the prisoner to have all his witnesses available to testify in his behalf, or for any other good cause determined by the Senior Member of the D&A Board.

(a) Prisoners may simply request a delay at any point in the process. From the DBS preliminary investigation to the moment they appear in front of the D&A board.

(b) The DBS informs the prisoner of this right upon preliminary investigation. The prisoner acknowledges in writing that he has been informed.

(3) The D&A Board's decision is based solely on information obtained in the hearing process, including the DR and voluntary statements, the statement of the prisoner charged, and evidence derived from witnesses and documents. The senior board member will verbally remind the board members that the decision on the Disciplinary report will be reached based on information and testimony presented through testimony, written statements, and physical evidence during the hearing.

(4) The standard of proof by which facts must be established is by preponderance of the evidence" rather than "beyond a reasonable doubt," as at a courts martial.

(5) The senior member of the board will make a statement on the DR that lists the evidence relied upon and the reason for the disciplinary actions taken. The disciplinary action shall become effective when signed by the PCF CO or PCF Supervisor in the absence of the PCF Commanding Officer. The time spent in special quarters, pending investigation may be considered, but the officer administering the punishment is not bound to give credit for time spent in special quarters.

e. Records.

(1) A written record will be made of the board's decision and the supporting reasons, and a copy will be given to the prisoner. The hearing record and all supporting documentation will be maintained in the prisoner's permanent file and with the investigator files. A record of the proceedings will be maintained in the prisoner's confinement record. Prisoner's files will be retained at the PCF for 2 years.

(2) If the prisoner is found not guilty of the alleged charges, then the disciplinary report and all documentation will be removed from the prisoner's files.

(3) The Action of the Discipline and Adjustment Board will be documented and distributed as follows by the Disciplinary Clerk:

(a) Prisoner File.

(b) Prisoner.

f. Appeal Process. After the PCF CO or PCF Supervisor has reviewed the board findings and decided the prisoner's disposition, the prisoner has 15 days to submit an appeal to the Security BN Commanding Officer. The BNCO will review the prisoner's appeal and make a written decision within 30 days of receipt of the appeal. The BNCO's decision will be promptly sent to the prisoner.

(1) The prisoner will initiate the appeal by completing a DD510 chit, outlining the basis for the appeal. The prisoner will then drop the chit in one of the CO's box located throughout the facility.

(2) The PCF CO gathers chits from the box's daily and if the appeal process is initiated; forwarding action will be sent to the Security BN CO.

(3) The response will be documented on the chit. The prisoner will be informed. The chit will be files in the prisoner record jacket.

5002. AUTHORIZED ADMINISTRATIVE DISCIPLINARY MEASURES

1. Policy

a. The PCF Supervisor may impose any of the following disciplinary measures for misconduct upon any prisoner confined in the PCF except for Disciplinary Segregation, and Loss of Good Conduct Days, which the PCF CO must impose.

(1) Administrative Reprimand or Official Warning

(2) Extra Duty. Extra duty will not conflict with regular meals, regular sleeping hours, attendance at scheduled religious services, or interviews with authorized persons, (i.e., chaplains, medical officers, legal counsel, etc.), or with regular visiting hours. Extra duty will be limited to 2 hours per day and may commence upon the conclusion of the evening meal for a maximum of 14 consecutive days and will consist of constructive and useful work. Extra duty will not be served on Sundays and holidays, although they count in the computation of the period for which the punishment is imposed. The use of calisthenics and close order drill for extra duty is prohibited.

(3) Loss of Privileges. The privileges subject to deprivation by disciplinary action are those established to encourage good conduct. However, attendance at religious services, receiving visitors, and correspondence will not be restricted unless the misconduct is directly related to these privileges and restriction is warranted.

(4) Disciplinary Segregation. Disciplinary Segregation is the most stringent administrative disciplinary action authorized. Prisoners serving Disciplinary Segregation will remain in their assigned cells except for showers, cleaning assignment in Disciplinary Segregation, and emergencies. Prisoners will not be allowed to communicate with unauthorized personnel, and

most privileges will be denied. They shall not be taken out of their cells to attend religious services. Prisoners in Disciplinary Segregation shall not participate in recreational activities. Disciplinary Segregation can be imposed for an indefinite period of time.

(5) Forfeiture of Good Conduct Time. Forfeiture of any or all of the prisoner's Good Conduct Time earned up to and including the day of the unsatisfactory conduct. Forfeiture resulting from escape should not be restored.

(6) When a prisoner allegedly violates the Uniform Code of Military Justice, the PCF Commanding Officer may decide to forward charges to the prisoner's command for a recommendation to a court-martial. This decision will be based on the severity of the incident.

(a) The PCF CO will annotate the decision to forward charges on the disciplinary report.

(b) The Administration Officer is responsible for making liaison with the prisoner's command; drafting the charge sheet; and forwarding documentation.

(c) Once the unit has been advised and documentation has been forwarded, disposition of the charges are under the cognizance of the prisoner's commander.

(d) The prisoner's counselor will maintain liaison with the prisoners unit and document final disposition of charges on weekly conduct entries.

5003. PERSONAL APPEARANCE

1. Policy. All prisoners will be provided with adequate shower, laundry and barber services. Prisoners will be expected to maintain acceptable standards of personal hygiene. These facilities shall include:

a. Sufficient shower facilities in all housing units. There are thermostatically controlled temperature regulators for all showers. Prisoners will shower daily.

b. Barber Services provided by MCCS will comply with applicable health requirements and service regulations.

c. Adequate laundry facilities to ensure sufficient clean clothing (at least three uniforms and under clothing per week) and bedding materials.

2. Procedures.

a. It is the responsibility of each prisoner to keep his body clean by daily showering and washing.

b. The Dorm/Special Quarters Supervisor in each housing unit will ensure that each prisoner has the opportunity to utilize the showers at the appropriate times. Extra showers may be authorized following working parties that result in the prisoner getting excessively soiled.

c. Dorm. This type of space or unit is similar to a barracks in arrangement and is normally adequate for those prisoners not requiring separate cells. Physical arrangement of the PCF is such that most prisoners are housed in squad bays and have unlimited access to drinking water and toilets at all times.

d. The Squad Bay/Special Quarters Supervisors will ensure that all cell toilets and sinks are kept clean and in operating condition.

e. Prisoners are responsible for changing their underwear and uniforms daily. All dirty laundry, including bedding, will be turned in for washing in accordance with the posted schedule.

f. During the daily schedule, a period of time shall be used for uniform maintenance: (e.g., 1900 to 2100 hours). Prisoners will be allowed to prepare and repair their uniforms.

3. Barber Shop Policy.

a. Proper security precautions and strict operating procedures will be carried out at all times in the daily operation of the barber shop, in accordance with SECNAVINST 1640.9_, Article 10203; and NAVMED P5010-2, Section 2.

b. A MCCS contracted trained and certified barber will give weekly haircuts to prisoners in a pay status. Valuables will charge each prisoner's ledger accordingly.

4. Barber Shop Procedures.

a. Prisoners will have freedom in their personal grooming as long as the prisoners are within their military organizations' grooming guidelines. Haircuts will be of the type that attention will not be drawn to the individual. There will be no eccentric haircuts.

b. Valuables will supply a by-name roster of prisoners in a pay status with sufficient funds for a haircut to Operations. No one but Prisoner Services is authorized to revise this roster.

c. Hours of operations will be determined by the Plan of the Day.

d. Each prisoner will be given an adequate amount of time to receive a haircut.

e. Sanitation regulations will be posted and followed, in accordance with SECNAVINST 1640.9_ and NAVMED P5010-2.

f. There will be no haircut appointments allowed. Haircuts will be received on a first come, first serve basis.

5004. SANITATION

1. Policy

a. Adequate space shall be allotted for janitorial closets that are accessible to the living and activity areas. The closets shall be equipped

with a sink and cleaning implements.

b. Noncombustible receptacles are not needed for smoking materials, as the PCF is a non-tobacco facility. However, all squad bays will be equipped with a metal trashcan. Work Shop is equipped with special containers for flammable liquids and for rags used with flammable liquids. All receptacles and containers are emptied and cleaned daily.

2. Body-fluid spill/clean-up. All body-fluid spills (urine, blood, vomit, saliva, and feces) shall be considered contaminants and handled in accordance with the following procedures:

(1) A Body fluid clean-up kit will be maintained in the cleaning gear office located in the T-Area. The PCF corpsman shall ensure the proper items are stocked.

****Note:** Bleach will be diluted 1 part bleach to 10 parts water, 1:10.

(a) Secure the area where the spill has occurred and notify the Duty PCF Supervisor. When the spill has been absorbed, any contaminants will be swept up and placed in the red biohazard bags provided and sent to the PCF Medical for disposal.

(b) No individual shall be permitted to clean a body-fluid spill without using the protective equipment. All contaminated articles such as clothing, towels, etc. shall be bagged in the plastic bags. Clothing shall be sent to the laundry to be properly laundered. Disposable items (rags, paper, etc.) shall be bagged and be disposed of through PCF Medical.

(c) Brushes, gloves, buckets, etc. used for cleanup of body fluids shall be thoroughly cleaned and returned to the appropriate cleaning gear locker.

(d) Upon completion of the clean-up, personnel must thoroughly wash with soap and water before engaging in other activities.

(e) A report of the body-fluid spill and clean-up shall include the date, time, location, name of person(s) involved in the incident to include involved in the clean-up, and any staff who were present. This report shall be submitted immediately to PCF Medical/OCS Medical via the appropriate chain of command.

3. Waste and Garbage Disposal. Garbage and other waste disposal services are provided by contract with a local private contractor.

a. Solid Waste Dumpsters are located in the following areas:

(1) Dumpsters are located at the back of the facility outside of the security area. All trash and waste will be emptied from working and housing areas daily. Plastic trashcan liners will be used to protect trashcans and reduce maintenance and sanitation requirements. Soiled trashcans will be washed, dried, and disinfected after disposal of waste.

(2) The Work Shop will place any empty dried paint and thinner cans in a temporary collection area. Special containers are provided for flammable liquids and for rags used with flammable liquids.

4. Cleaning, Preservation and Maintenance

a. The following establishes responsibility for cleaning, and preservation of PCF areas. Section Heads are responsible for ensuring their spaces are ready for inspection in accordance with this SOP.

<u>AREA OF RESPONSIBILITY</u>	<u>INDIVIDUAL RESPONSIBLE</u>
SPECIAL QUARTERS	SPECIAL QUARTERS SNOIC
SQUADBAYS	SQUADBAY SUPERVISORS
RECEIVING AND RELEASE	RECEIVING AND RELEASE NCOIC
MEDICAL AREAS	PCF CORPSMAN
CHAPEL/RELIGIOUS AREAS	WATCH SUPERVISOR
COUNSELOR AREAS	SENIOR COUNSELOR
ADMINISTRATIVE AREAS	ADMINISTRATIVE CHIEF
DINING FACILITY	DINING FACILITY MANAGER
WORK SHOP	WORK SHOP SUPERVISOR
MAINTENANCE AREAS	DUTY PCF SUPERVISOR
QUARTERDECK AREA	WATCH SUPERVISOR
COMMON AREAS	WATCH SUPERVISOR

b. The Programs chief will be responsible for publishing cleaning responsibilities of the prisoner Interior Work Detail (IWD).

c. The Operations chief will responsible for publishing cleaning responsibilities in the dorms, an escort checklist for ensuring IWD crews have cleaned office spaces and common areas, and evening cleaning responsibilities of extra duty.

d. The Watch Supervisor is responsible for the overall cleanliness of the PCF during his shift.

e. Squad bay supervisors will supervise clean-up of their respective squad bay. The Senior Escort or higher will inspect the dorm until the dorm is cleaned to his satisfaction.

f. Escorts will supervise the IWD clean-up using the Day and Night Crew Cleaning Checklist. The Senior Escort or higher will inspect the spaces to determine if they are clean. At no time will prisoners be allowed to clean in an office space without supervision.

g. The night crew (when employed) will consist of at least a medium-inside custody prisoners designated by programs to work from 2200 to 0400, Sunday-Thursday.

(1) The night crew will eat morning chow first Monday-Friday.

INSTRUCTIONS FOR PREPARING AND ARRANGING RECORD OF TRIAL

USE OF FORM - Use this form and MCM, 1984, Appendix 14, will be used by the trial counsel and the reporter as a guide to the preparation of the record of trial in general and special court-martial cases in which a verbatim record is prepared. Air Force uses this form and departmental instructions as a guide to the preparation of the record of trial in general and special court-martial cases in which a summarized record is authorized.

Army and Navy use DD Form 491 for records of trial in general and special court-martial cases in which a summarized record is authorized. Inapplicable words of the printed text will be deleted.

COPIES - See MCM, 1984, RCM 1103(g). The convening authority may direct the preparation of additional copies.

ARRANGEMENT - When forwarded to the appropriate Judge Advocate General or for judge advocate review pursuant to Article 64(a), the record will be arranged and bound with allied papers in the sequence indicated below. Trial counsel is responsible for arranging the record as indicated, except that items 6, 7, and 15e will be inserted by the convening or reviewing authority, as appropriate, and items 10 and 14 will be inserted by either trial counsel or the convening or reviewing authority, whichever has custody of them.

1. Front cover and inside front cover (chronology sheet) of DD Form 490.

2. Judge advocate's review pursuant to Article 64(a), if any.

3. Request of accused for appellate defense counsel, or waiver/withdrawal of appellate rights, if applicable.

4. Briefs of counsel submitted after trial, if any (Article 38(c)).

5. DD Form 494, "Court-Martial Data Sheet."

6. Court-martial orders promulgating the result of trial as to each accused, in 10 copies when the record is verbatim and in 4 copies when it is summarized.

7. When required, signed recommendation of staff judge advocate or legal officer, in duplicate, together with all clemency papers, including clemency recommendations by court members.

8. Matters submitted by the accused pursuant to Article 60 (MCM, 1984, RCM 1105).

9. DD Form 458, "Charge Sheet" (unless included at the point of arraignment in the record).

10. Congressional inquiries and replies, if any.

11. DD Form 457, "Investigating Officer's Report," pursuant to Article 32, if such investigation was conducted, followed by any other papers which accompanied the charges when referred for trial, unless included in the record of trial proper.

12. Advice of staff judge advocate or legal officer, when prepared pursuant to Article 34 or otherwise.

13. Requests by counsel and action of the convening authority taken thereon (e.g., requests concerning delay, witnesses and depositions).

14. Records of former trials.

15. Record of trial in the following order:

a. Errata sheet, if any.

b. Index sheet with reverse side containing receipt of accused or defense counsel for copy of record or certificate in lieu of receipt.

c. Record of proceedings in court, including Article 39(a) sessions, if any.

d. Authentication sheet, followed by certificate of correction, if any.

e. Action of convening authority and, if appropriate, action of officer exercising general court-martial jurisdiction.

f. Exhibits admitted in evidence.

g. Exhibits not received in evidence. The page of the record of trial where each exhibit was offered and rejected will be noted on the front of each exhibit.

h. Appellate exhibits, such as proposed instructions, written offers of proof or preliminary evidence (real or documentary), and briefs of counsel submitted at trial.